

THE
ACTS AND RESOLVES,
PUBLIC AND PRIVATE,
OF THE
PROVINCE OF THE MASSACHUSETTS BAY:

TO WHICH ARE PREFIXED
THE CHARTERS OF THE PROVINCE.
WITH
HISTORICAL AND EXPLANATORY NOTES, AND AN APPENDIX.

PUBLISHED UNDER CHAPTER 87 OF THE RESOLVES OF THE GENERAL COURT
OF THE COMMONWEALTH FOR THE YEAR 1867.

VOLUME IX.,
BEING VOLUME IV. OF THE APPENDIX.
CONTAINING
RESOLVES, ETC., 1708-1720.

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PREFACE.

The publication of the Province Laws of Massachusetts, stopped in the year 1896, was taken up again, under new legislation,¹ in the summer of 1900. Mr. Goodell, the former editor, having declined reappointment, Melville Madison Bigelow, Esq., was appointed editor, — first under a newly created Board of Editors, and then, in 1901, the Board having completed their duties and resigned, editor in full charge of the work.²

The records printed as chapters under the present editorship are records of legislation in the legal sense of the term. Only such records, therefore, have been printed as have had the sanction of the three branches of government, and were calculated, directly or indirectly, to affect legal rights.³

The records, accordingly, have been edited as statutes. Notes have been omitted except where it has been found necessary (as, for instance, in the case of an ellipsis) to make some explanation in regard to the text. The marginal references are of two kinds, — those above the line referring to the source of the printed text, those below referring mainly to records of the steps leading to the particular statute, to records bearing on the construction of the same, to evidence of the Governor's approval where the evidence does not appear in the usual place, and to notes of Mr. Goodell in former volumes, in which the statute may already have been printed.⁴

Sometimes, as has just been intimated, the evidence of the Governor's approval is indirect; but whenever such evidence has been found clear it

¹ Acts of 1899, chapter 477; see also Acts of 1894, chapter 387.

² Subject, according to the statutes just cited, to the control of the Governor and Council.

³ Included among the chapters will be found orders of hearing or notice and appointment of committees (having the Governor's approval), where the action of the Legislature was not an interlocutory proceeding in the course of some particular object already on foot, or a step leading presently to final action on the subject. Sometimes even in such cases it has been found desirable — sometimes it has been necessary — to print the whole series of proceedings.

⁴ Prior to the year 1715 references of the last description are given in foot-notes.

has always been accepted. In such cases the editor's entry of the date of the particular piece of legislation has been starred, thus, "[*Passed*,*" on the date here named. The date referred to, it may be remarked, is that of final action, whether by the Council or the House. The date of the Governor's approval seldom appears in the records; the fact of his approval being added by the Secretary on the day of the legislative action cannot be depended upon as the true date.

Indeed, the date of the record of final action in the Assembly, as given in the Legislative Records of the Council,¹ cannot be accepted as conclusive where the final action, that is, concurrence, took place in the House of Representatives. From the year 1715, when the House began to print its records, the House Journal has enabled the editor, in most cases, to give the correct date; not in all cases, for, so far as is known, no complete copy of the House Journals exists in any one place, or, indeed, in all places taken together in Boston and Cambridge. As for legislation before the year 1715, there was no other course than to follow the Legislative Records of the Council; but those records must be taken to give the true date where concurrence was by the Council; and that was more commonly the case.

The House Journal differs occasionally in other particulars from the Secretary's record, the differences being mentioned in the notes, unless they are trifling. This is sometimes a serious matter; there are instances in which action, stated in the Secretary's record to have been had by both Houses, does not appear at all in the House Journal, and there are other variances equally grave.

The marginal titles of the Secretary, having by long course of time acquired something like authority, have been used for headings to the chapters as far as possible. Though often needing some change for the sake of uniformity, or some addition for the sake of indicating the nature of the chapter, the Secretary's titles are usually clear and terse.

Blank spaces within the language of a chapter represent either actual spaces of the kind in the records or some dash of the pen. No attempt

¹ Mr. Goodell's nomenclature for the division of the records, "Legislative Records of the Council" and "Executive Records of the Council," has been continued. The more common designation of the former as "Court Records" and of the latter as "Council Records" is inaccurate, and for most persons must be misleading.

The copy used is the one known as the Secretary's, as distinguished from the one known as the State Library copy, though the former has been constantly checked by the latter and some mistakes in that way corrected. The text of the resolve, order or vote is, of course, that of the Massachusetts Archives when the record has been found there.

has been made to reproduce the eccentricities of the manuscript, such as flourishes and dashes of the pen and peculiar marks of the particular writer.

Among the words occasionally inserted in brackets in the text, the words "[Read and]" or "[Read and accepted and]" have generally, from the year 1715, the authority of the House Journal. Before 1715 analogy and probability have governed the editor in regard to them. They belong to mere routine, and are inserted only where a connection between the introduction and the resolve, order or vote would otherwise be wanting. "Accepted" of course imports action on report of a committee.

By an order in Council of May 29, 1901, the regulation of putting over to the end of the entire work of the Province Laws, resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries," was, from the legislative year 1715-16, discontinued, and direction was accordingly given that, from that year on, all records which were to be printed should "be printed in their established chronological place."

Slight mistakes in the preamble or other preliminary statement of a chapter, when made up by the Secretary, have often been corrected by the State Library copy of the records, without mention. The not uncommon mistake of repeating a word has always been silently corrected when it occurs in the preliminary statement of the Secretary; but where an error of any kind has been found in the resolve, order or vote, attention has always been called to it.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1708-9.

LEGISLATIVE LIST

FOR

1708-9.

[The names of the persons composing the respective legislatures in which the Resolves, Orders, Votes, etc., published in this volume were passed, appear in the several legislative lists herein printed.]

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.¹

ISAAC ADDINGTON, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.²

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WAIT WINTHROP	}	ESQRS.	JONATHAN CORWIN	}	ESQRS.
JAMES RUSSELL			JOHN FOSTER		
DANIEL EPES ³			PETER SERGEANT		
JOHN HATHORNE			SAMUEL PATRIDGE		
ELISHA HUTCHINSON			JOHN APPLETON		
WILLIAM BROWN			ANDREW BELCHER		
SAMUEL SEWALL			EPHRAIM HUNT		
ISAAC ADDINGTON			JOHN HIGGINSON		
JOHN PHILLIPS			NATHANIEL NORDEN		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW	}	ESQRS.	JOHN CUSHING	}	ESQRS.
JOSEPH CHURCH ⁴			JOHN OTIS		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Main;

ELIAKIM HUTCHINSON,⁵ ICHABOD PLAISTED & JOHN WHEELWRIGHT, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, ESQ.

¹ For the full title, see Province Laws, vii., 331.

² See Legislative Records of the Council, viii., 349, 350, 351, 372, 373, 374.

³ Elected June 25, in place of Elisha Cooke, whose election on May 26, was negatived by the Governor on May 27.

⁴ Elected June 25, in place of Nathaniel Paine, whose election on May 26, was negatived by the Governor on May 27.

⁵ Erroneously entered in Legislative Records of the Council, viii., 351, as Elisha Hutchinson.

For the Province, at large:—

EDWARD BROMFIELD & SAMUEL APPLETON, ESQRS.

REPRESENTATIVES OR DEPUTIES.¹

May 26, 1708 to February 26, 1708-9.

MR. THOMAS OLIVER, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
 Capt. Ephraim Savage,
 Capt. Thomas Hutchinson,
 Mr. James Barns.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestill Clap.
Milton, . . . Mr. George Sumner.
Brantrey, . . . Mr. John Webb.
Weymouth, . . . Capt. Stephen French.
Hingham, . . . Mr. Samuel Thaxter.
Dedham, . . . Mr. John Fuller.
Maldfield, . . . Mr. Samuel Barber.
Wrentham, . . . Mr. John Guilde.
Brookline, . . . Mr. John Winchester.
Mendon, . . . Capt. Josiah Chapin.

COUNTY OF MIDDLESEX.

Cambridge, . . . Capt. Thomas Oliver.
Charlestown, . . . Capt. Charles Chambers.
Watertown, . . . Mr. Samuel Bigglow.
Woburn, . . . Mr. John Pierce.
Medford, . . . Mr. Stephen Willis.
Malden, . . . Mr. John Greenland.
Reading, . . . Mr. Timothy Wyley.
Newtown, . . . Mr. Ebenezer Stone.
Concord, . . . Mr. William Wilson.
Chelmsford, . . . Capt. William Tyng.
Billerica, . . . Lieut. John Stearnes.
Sudbury, . . . Mr. Edmund Rice.
Sherburn, . . . Mr. Samuel Bullard.
Marlbóro, . . . Mr. Thomas Beaman.
Lancaster, . . . Mr. John Houghton.
Groton, . . . Mr. John Farnsworth.

COUNTY OF ESSEX.

Salem, . . . Josiah Wolcot, Esq.,
 Mr. Daniel Epes.

COUNTY OF ESSEX—*Concluded.*

Ipswich, . . . Mr. Nathaniel Knolton,
 Mr. William Goodhue.
Lynn, . . . Mr. Samuel Johnson.
Marblehead, . . . Mr. Richard Trevott.
Beverly, . . . Robert Hale, Esq.
Gloucester, . . . Mr. James Davis.
Topsfield, . . . Mr. Thomas Baker.
Wenham, . . . Mr. Thomas Patch.
Boxford, . . . Mr. John Peabody.
Bradford, . . . Mr. Richard Kemboll.
Rowley, . . . Mr. Ezekiel Jewett.
Newbury, . . . Capt. Stephen Greenleaf.
Salisbury, . . . Mr. Joseph Eaton.
Amesbury, . . . Capt. Thomas Harvey.
Andover, . . . Capt. Christopher Osgood.
Haverhill, . . . Mr. John White.

COUNTY OF BRISTOL.

Bristol, . . . Mr. Nathaniel Blagrove.
Rehoboth, . . . Mr. Moses Read.
Taunton, . . . Mr. James Leonard.
Swanzey, . . . Mr. Joseph Mason.
Little Compton, Mr. William Southworth.
Tiverton, . . . Amos Sheffield.²
Dartmouth, . . . Mr. Joseph Tripp.

COUNTY OF HAMPSHIRE.

Springfield, . . . Joseph Parsons, Esq.
Northampton, . . . Capt. Preserved Clap.
Hadley, . . . Mr. Samuel Porter.
Suffield, . . . Mr. Joseph Shelden.
Hatfield, . . . Mr. Eleazar Frarey.
Enfield, . . . Mr. Samuel Terrey.
Westfield, . . . Mr. Stephen Kellogg.

COUNTY OF PLIMOUTH.

Plimouth, . . . Mr. John Bradford.
Scituate, . . . Mr. Samuel Clapp.

¹ The qualifying oaths subscribed by the representatives this year are missing from the archives.

² By the town records, he appears to have been elected May 7, 1708, but his name is not in the Secretary's list.

COUNTY OF PLIMOUTH — *Concluded.*

Marshfield, . . Mr. Ephraim Little.¹
Duxbury, . . Mr. Joseph Holmes.
Bridgewater, . Mr. Edward Fobes.

COUNTY OF BARNSTABLE.

Barnstable, . . John Otis, Esq.
Sandwich, . . Mr. Samuel Prince.
Yarmouth, . . Mr. Elisha Hall.
Eastham, . . Mr. Samuel Knowles.

COUNTY OF YORK.

York, Capt. Lewis Bane.
Kittery, . . . William Pepperill, Esq.

DUKES COUNTY.

Major Benjamin Skiffe.

NANTUCKET.

James Coffin, Esq.

¹ At a town meeting held at Marshfield, May 10, Mr. Samuel Sprague was chosen representative, but refused to serve, whereupon Captain Nathaniel Thomas was chosen, but he refusing, Mr. Ephraim Little was chosen.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SIXTH DAY OF MAY, A.D. 1708.

CHAPTER 1.

ORDER ON THE PETITION OF THE NORTH SOCIETY IN SCITUATE IN
REGARD TO THE SITE OF A MEETING HOUSE.

UPON READING a Petition of a considerable Number of the North Church & Society in the Town of Scituate, Setting forth the Non Agreement of the Said Society about the Place for Setting up the New Meeting House for the publick Worship of God which they have Agreed to build, Praying that a Committee may be appointed & im-
power'd by this Court to settle & determine the same to the most Advantage of the Society in General:

Legislative
Records of the
Council, viii.,
353.
Post, chap. 17.

Ordered that a Copy of the said Petition be sent at the Charge of the Petitioners to the Clerk of the Precinct within mention'd with Direction to him as soon as may be to warn a Meeting of the said Precinct, And when mett to Communicate to them the said Copy, That any of them may offer Reason (If any they have) on or before the ninth Day of June next, Why the Prayer of the Petition shall not be granted. [*Passed May 28.*]

CHAPTER 2.

ORDER FOR Y^r THANKS OF Y^r COURT TO COLL: PETER SCHUYLER
FOR HIS GOOD SERVICES.

HIS EXCY. having from Time to Time made this Court sensible of the very great Services done for this Province by Coll: Peter Schuyler of Albany in his constant Intelligences given to his EXCY. of the Indian Marches against us, Whereby great Mischiefs have been often prevented & the Enemy discouraged to that Degree, That they have lately attended at Albany for a Friendship & Favour from that Government:

Legislative
Records of the
Council, viii.,
356.

Ordered that the Thanks of this Court be given to the said Coll: Schuyler for his great & good Services above said, and that he be desired to Continue his Intelligence at all Times for the Benefit of all her Maj^{ties} good Subjects in this Province; AND John Phillips & Peter Sergeant Esq^{rs} of the Council, Joseph Parsons Esq^r M^r Daniel Epes & M^r Nath^l Blagrove of the Represent^{ves} are appointed to offer the Thanks & Desire above said. [*Passed June 2.*]

CHAPTER 3.

ORDER IMPOWERING HANNAH SHAW TO SELL LAND.

Legislative
Records of the
Council, viii.,
356.

UPON READING a Petition of Hannah Shaw Widow of Ebenezer Shaw late of Weymouth Husband Man Dec^d Setting forth that she is left with the Charge of four small Children, the eldest now little more than seven Years old, Having Nothing to bring them up with, Their Father leaving no Estate, only had a Right to about Thirty Pounds worth of the Real Estate of his Father, Who died about one Year & an half before him, Which is still in the Hands of his Administrator; PRAYING that she may be empower'd to sell or release her Childrens Right or Title to their Grandfathers Estate, and discharge the Administ^r That she may be the better Enabled to bring them up;

Ordered that the Prayer of the Petition be granted, And the Petitioner be & hereby is Impowered accordingly, And to Do & Execute what is proper & necessary in the Law for that Purpose. [*Passed June 2.*]

CHAPTER 4.

RESOLVE ALLOWING GEORGE TURFREY £6.

Legislative
Records of the
Council, viii.,
357.

UPON READING the Petition of Cpt: George Turfrey, Praying Payment for a Quantity of his Plank used for the Repairs of Saco Fort, & a Pair of Oxen used in the Service & lost;

Resolved that the Sum of Six Pounds be allowed & paid out of the publick Treasury to Cpt: George Turfrey the Petitioner, in full for the Plank & Oxen therein mention'd. [*Passed June 3.*]

CHAPTER 5.

RESOLVE ALLOWING NICHOLAS GOWEN £10.

Legislative
Records of the
Council, viii.,
357.

UPON READING the Petition of Nicholas Gowen of Newichawonock Setting forth, That about four Years past he lost all his Substance by the Indian Enemy, And in September last was grievously wounded being shot through the Shoulder, & three of his Company being kill'd, And is in Danger of Losing his Arm, being still under the Doctors Hand, Praying some Allowance towards the Charge of his Cure,

Resolved that the Sum of Ten Pounds be allow'd & paid out of the publick Treasury to Nicholas Gowen the Petitioner to Assist him in Paying for his Cure. [*Passed June 3.*]

CHAPTER 6.

ORDER ON ZEBDIEL BOYLSTONES PETITION FOR PAYMENT OF MEDICAL SERVICES.

Legislative
Records of the
Council, viii.,
358. Mass.
Archives, ix.,
161.

UPON READING this Day in Council a Petition of Zebdiel Boylston Chirurgeon, Praying Payment for his Pains, Care & Medicines expended in the Cure of Mary Lyon, who was grievously wounded by a Negroe Man on Boston Neck in the Year past, according to

his Accompt thereto annex'd; Amounting to Fifty four Pounds six Shillings;

Mass.
Archives,
cxxxii., 372.

Ordered That Tho. Brattle Esq^r Samuel Lynde Esq^r and Edw^d Lloyd Esq^r be a Committee to receive and Examin the Accompts of the charge for the nursing, Tendance, & cure of Mary Lyon wounded by a negro, and of the s^d Negro's Imprisonment and to Report the same to this Board. [*Passed* * June 5.

CHAPTER 7.

ORDER FOR A HEARING ON PETITION OF PETER PLIMPTON &c. OF SUDBURY IN REGARD TO DIVISION OF COMMON LANDS.¹

UPON READING a Petition of Peter Plimpton, Samuel How, & Caleb Moses of Sudbury, for them selves & in Behalf of several other Inhabitants of the said Town thereto subscribed, Referring to certain Tracts of Common Lands lying within that Township, wherein (as they complain) They are denied their just Right & Privileges;

Legislative
Records of the
Council, viii.,
358. Mass.
Archives,
cxiii., 443.

Ordered That the Select men of Sudbury be Served wth a Copy of this Petition at the care and cost of the Pet^{rs} And that they be heard and make Answer thereto, before y^s [Cou²]rt, upon Tuesday the fifteenth of June currant. [*Passed* June 8.

Mass.
Archives,
cxiii., 441.

CHAPTER 8.

VOTE FOR PROVIDING A MINISTER FOR DARTMOUTH. £.60, p^{r} ANNUM, ALLOW'D AS A SALARY FOR M^r SAM^{LL} HUNT.

WHEREAS it has bin reported & represented to this Court, at a Session in the Year past, by her Majesties Justices of the Court of General Sessions of the Peace for the County of Bristol sitting in Court, That the Town of Dartmouth within the said County, having been several Times presented, & complained of for not Providing them selves of a Minister, as by Law is directed, And that the necessary Orders by them made thereupon, as by Law they are impower'd, not being duly observed, but eluded, and render'd ineffectual for Remedy thereof, They remaining destitute of such a Minister; And M^r Samuel Hunt Minister having been lately treated, & prevailed with to go, & reside there, & serve them in the Work of the Ministry;

Legislative
Records of the
Council, viii.,
360.

Executive
Records of the
Council, iv.,
566.

Resolved that the said M^r Hunt be sent to the said Town of Dartmouth to be their Minister, And that Provision be made by this Court as the Law directs, for his Honourable Support & Maintenance.

And that the Sum of Sixty Pounds be allowed as a Salary for the said Minister for the Year ensuing, And in Case his Abode there shall be for less Time, in the same Proportion. [*Passed* June 8.

¹ On the hearing, June, 16, the petition was dismissed. Legislative Records of the Council, viii., 366.

² MS. mutilated.

CHAPTER 9.

ORDER FOR CHANGING YE BILLS OF CREDIT THAT ARE WORN OUT &c.

Legislative
Records of the
Council, viii.,
360.

Post, chap. 22.

FORASMUCH as many of the Bills of Credit on this Province by careless Handling, are torn, worn out & render'd unpassable & useless, And this Court being desirous to uphold the Reputation of the Governm^t in their just & honest Intention of Emitting the said Bills, & Care to support them by good & sufficient Funds, that no Persons might suffer or be Losers by Receiving of them, but have Justice done them in that Respect, Withal having due Regard to the Publick, that they be not imposed upon and deceived by the wicked & subtle Contrivances & Practices of ill Men;

Ordered that all such of the Bills of Credit that are torn, worn out & render'd unpassable be Exchanged, And that the Treasurer deliver to the Persons respectively bringing the same, whole Bills of like Value in Lieu thereof, or a proportionable Part of the Value to the Parts of the Bills return'd, Viz, For three Quarter Parts, Three Quarter Parts of the Value, for a Half, one Half of the Value, None to be received under Half a Bill.

AND that in all Cases of Doubt or Difficulty referring to the Exchange of Bills, the Treasurer do advise with two of her Majesties Council, whereof One to be of the Comm^{tee} that sign'd the Bills if then of the Council; AND for the better Discovery of Counterfeit Bills, If any there be;

Ordered that the Committee that sign'd the Bills furnish the Treasurer with an Accompt of the Order & Method of their Proceeding in that Affair, that so the Treasurer may be the better enabled to detect and find out any false Bills. [*Passed June 9.*]

CHAPTER 10.

ORDER GRANTING PETER BENNET AN ISLAND CALLED MILK ISLAND.

[*Passed June 9.*]

Legislative
Records of the
Council, viii.,
361.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 11.

Legislative
Records of the
Council, viii.,
361.

ORDER FOR LAYING OUT 500 ACRES OF LAND GRANTED TO RICH^d HOLINGWORTH & ASSIGN'D TO SAM^l^l PRINCE. [*Passed June 9.*]

Mass.
Archives, lx.,
127. Records of
the Colony of
Mass. Bay, iv.,
part 2, 576.
Maps and
Plans, iv., 15,
32.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 12.

RESOLVE FOR PRESENTING £.100, TO COLL: PETER SCHUYLER.

IN CONSIDERATION of the many good Services done by the Hon^{ble} Coll: Peter Schuyler for this Province, Wherein he has manifested a particular Friendship;

Legislative
Records of the
Council, viii.,
362.

Resolved that the Sum of One Hundred Pounds be presented to the said Coll: Schuyler out of the publick Treasury. [*Passed June 10.*]

CHAPTER 13.

RESOLVE ALLOWING 24/ TO JN^O ROWLESTON.

A RESOLVE pass'd in the House of Represent^{ves} That the Sum of Twenty four Shillings be allow'd & paid out of the publick Treasury to John Rowleston on Account of four Forms made by him for the Use of this House. Read & Concur'd. [*Passed June 11.*]

Legislative
Records of the
Council, viii.,
362.

CHAPTER 14.

ORDER THAT £.27 11¹¹ RATES IN ARREAR BE PAID BY THE TOWN OF DARTMOUTH.

WHEREAS Philip Comeing Constable of the Town of Dartmouth in the Year 1703, fail'd of Paying the Sum of Twenty seven Pounds eleven Shillings, Part of the Sum committed to him to Collect, And the Treasurer issued his Writt of Execution to Sheriff Gallop to Distrain the said Sum, And the said Sheriff having been before this House, and sett forth, That upon Finding no Estate of the said Constables to levy the said Execution upon, He Committed him to Goal, where he died;

Legislative
Records of the
Council, viii.,
363.

Ordered that the said Sum of Twenty seven Pounds & eleven Shillings be paid into the publick Treasury by the said Town of Dartmouth. [*Passed June 12.*]

CHAPTER 15.

ORDER ALLOWING THAT EDW^D GRAYS WAGES BE PAID FOR HIS WIFE & CHILDRENS RELIEF.

A PETITION of Meletiah Gray of Yarmouth Praying that the Wages due to her Husband Edward Gray for his Service as a Soldier at her Majesties Fort at Casco, may be paid to M^r Elisha Hall for the Relief of her self & Children, Her Husband having been absent beyond Sea, for about two Years & an Half past, with the Order pass'd thereon by the Representatives: Viz, THAT the Prayer of the Petition be granted, Was Read & Concur'd. [*Passed June 12.*]

Legislative
Records of the
Council, viii.,
363.

CHAPTER 16.

RESOLVE THAT £.100 BE ADVANCED & VESTED IN GOODS TO BE GIVEN
BY COLL: SCHUYLER TO THE CHIEFS OF Y^e FIVE NATIONS.

Legislative
Records of the
Council, viii.,
364.

Post, chap. 33.

Resolved that the Sum of One Hundred Pounds be advanced out of the publick Treasury, & vested in such Goods as shall be thought fit upon Advice received from Coll: Schuyler, and the said Goods transported to Albany, and deliver'd into the Custody of M^r Robert Livingstone jun^r to be drawn off & given out by the said Coll: Schuyler, in the Name of this Province, to such of the Sachems, & Chiefs of the Five Nations as he shall think best, to confirm & strengthen our Unity with them, And in the mean Time, If Coll: Schuyler shall see Occasion before the Arrival of the said Goods to make some Gratifications for the Use afore said, That he repay him self out of the said Goods when received. [*Passed June 12.*]

CHAPTER 17.

ORDER APPOINTING A COMMITTEE TO GRANT A HEARING RESPECTING
A MEETING HOUSE IN NORTH SITUATE.

Legislative
Records of the
Council, viii.,
366.

Ante, chap. 1.
Legislative
Records of the
Council, viii.,
361, 362.

THE VOTE of the Board pass'd the eleventh Currant upon the Petition of several of the North Society & Precinct in Scituate, being sent up from the Represent^{ves} with a Non Concurrence by that House, and a new Vote proposed by them, Read & Disagreed, And

Ordered that Ephraim Hunt & Samuel Appleton Esq^{rs} with such of the Represent^{ves} as that House shall think fit, be a Committee to repair forthwith to Scituate, And upon Hearing both Parties, to determine the Setting up the Meeting House on one of the two Places proposed, Viz, At the Meeting House Hill, or that Place near Joseph Neals House, But if that can not be effected to good Agreement, Then to report the same to this Court, The Charge of the Committee to be born by the said Society.

AGREED by the Represent^{ves} And M^r Samuel Porter, Cpt: Josiah Chapin & M^r John Sterns of the Represent^{ves} named by that House to be of the Committee for the Affair afore said. [*Passed June 16.*]

CHAPTER 18.

RESOLVE ALLOWING £.11 ¹¹/₁₀₀ TO THO: PHILLIPS.

Legislative
Records of the
Council, viii.,
366.

A PETITION of Thomas Phillips of Boston Black Smith wounded in her Maj^{ties} Service on the late Expedition to Nova Scotia, Sent up from the Representatives with the Resolve pass'd thereon by that House, Read & Concur'd; Viz,

Resolved that the Pension of Three Pounds per Annum given to the Petitioner Cease, And that the Sum of Ten Pounds be allow'd & paid out of the publick Treasury to the Petitioner for the Year ensuing, beginning from this Day, And thirty Shillings for the Loss of his Gun. [*Passed June 16.*]

CHAPTER 19.

RESOLVE ALLOWING HUGH PIKE £.10.

THE FOLLOWING RESOLVE pass'd in the House of Representatives upon the Petition of Hugh Pike of Newbury Carpenter, wounded in her Majesties Service, Read & Concur'd; Viz,

Legislative
Records of the
Council, viii.,
367.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to the Petitioner for the Year ensuing, Beginning from this Day. [*Passed June 16.*]

CHAPTER 20.

RESOLVE GRANTING L^r SAMUEL BRIGHAM'S PETITION FOR ALLOWANCE TO SEVERAL OF HIS SOLDIERS.

A PETITION of L^r Samuel Brigham, Praying an Allowance for sev^l Soldiers under his Command in her Majesties Service, that were wounded or suffer'd Loss; Sent up from the Representatives with the Resolve pass'd in that House thereon, were Read & Concur'd; Viz,

Legislative
Records of the
Council, viii.,
367. Mass.
Archives,
lxxi., 454.

Resolved That there be allowed, & Paid out of the Publick Treasury, as follows. viz^t

To Ephraim Wilder, for the cure of his wounds the sum of three Pounds, and for the losse, of his Time, charge &c^a five Pounds.

To the widow, of John Farrer for a Gun lost: Thirty shillings.

To Jonathan Brigham, for a Horse kill'd, four Pounds.

To Sam^l Ward for a Horse killed. Two Pounds. [*Passed June 16.*]

CHAPTER 21.

ORDER REFERRING TO Y^e LINE BETWEEN THE MASSACHUSETTS BAY & NEW HAMPSHIRE. [*Passed June 17.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, viii.,
365. Mass.
Archives, lii.,
535.

CHAPTER 22.

ORDER FOR EXCHANGING 20^t BILL FOR AMOS SHEFFIELD IT BEING COUNTERFEIT.

Ordered that the Treasurer be directed to receive of Cpt: Amos Sheffield a Counterfeit Bill of Credit on this Province of Twenty Shillings, and deliver to him a true Bill of the same Value. [*Passed June 17.*]

Legislative
Records of the
Council, viii.,
368.
Ante, chap. 9.
Post, chap. 40.

CHAPTER 23.

ORDER FOR A HEARING ON PETITION OF YE SELECT MEN OF FRAMINGHAM FOR SETTLEMENT OF BOUNDS BETWEEN FRAMINGHAM AND SHERBURNE. [*Passed June 18.*]

Legislative
Records of the
Council, viii.,
368.

Post, chap. 118.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 24.

ORDER UPON THE PETITION OF Joses BUCKNAM RELATING TO JN^O ROWS ESTATE.

Legislative
Records of the
Council, viii.,
363. Mass.
Archives,
xvii., 189.

Mass.
Archives,
xvii., 187.

UPON READING a Petition of Joses Bucknam of Charles-Town Praying to be Relieved in a Purchase made by his Father Joses Bucknam Dec^d of John Rowe late Husband of Ruth Rowe, of a certain Parcel of Land in Charlestown, Which the said Ruth Rowe hath obtained Judgement in the Inferiour Court in Middlesex to recover back the Possession, An Appeal being made therefrom to the next Superiour Court to be held in & for the said County;

Ordered That the Action of Appeale be continued unto the next Term further And that Ruth Rowe the Widow & Guardian be Serv'd with a Copy of this Petition; And that a Hearing be had thereupon, on the Second Friday of the next Session of this Court. [*Passed June 22.*]

CHAPTER 25.

ORDER UPON THE PETITION OF NATH^{LL} REYNES'S, COMPLAINING OF A JUDGMENT BY DEFAULT AGAINST HIM.

Legislative
Records of the
Council, viii.,
369. Mass.
Archives, xi.,
912.

UPON THE PETITION of Nath^{ll} Reynes, Complaining of a Judgement given against him by Default at the Suit of Cpt: John Frost in the Inferiour Court for the County of York,

Ordered That the Pet^r be referred to the next Superiour Court of Judicature to be holden for the County of Yorke by Writ of Error, for remedy in the course of the Common Law.

And the Justices of the said Court are hereby Directed, upon Inspecting the Process and Judgment in the Suit aforesaid; And also the Execution thereon issued to do therein what of right and to Justice appeertaineth and ought to be done. [*Passed June 22.*]

CHAPTER 26.

ORDER ON THE COMMITTEES REPORT ON THE PETITION OF INHAB^{TS} OF WEST SUDBURY, TO BE MADE A SEPARATE PRECINCT. [*Passed June 23.*]

Legislative
Records of the
Council, viii.,
355. Mass.
Archives, xi.,
250a.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 27.

ORDER IMPOWERING KATH: SMITH TO SELL LAND.

UPON READING a Petition of Katherine Smith Relict Widow & Executrix, of the last Will & Testament of John Smith late of Dorchester within the County of Suffolk Dec^d Praying that she may be impowered to make Sale of several small Dividends or Allotments of Out-Lands belonging to the Estate of her said late Husband, in the said Petition particularly mention'd, for her necessary Relief & Subsistence during her Life, & for her descent Interment, Being now very aged, And to execute Deeds for the same;

Ordered That the Prayer of the Pet^{con} be Grant^d and the Pet^r is Impowred, to make Sale of the Lands within mentioned, and to Execute a Deed or Deeds of the same. And that Elisha Hutchinson Esq^r and John Foster Esq^r be Desired to Advise and Assist the Pet^r in the bargaining for and Disposal thereof. [*Passed June 23.*]

Legislative
Records of the
Council, viii.,
364. Mass.
Archives,
xvii., 184.

Mass.
Archives,
xvii., 182.

CHAPTER 28.

MESSAGE FROM THE HOUSE TO DESIRE A FAST MAY BE APPOINTED.

A MESSAGE by M^r Daniel Epes, M^r William Denison, & M^r James Barns of the Representatives from y^e House, Desiring that a Day for Fasting & Prayer may be appointed, upon Consideration of the great Number of Insects that are devouring the Fruits of the Earth. [*Passed * June 23.*¹]

Legislative
Records of the
Council, viii.,
370.

Post, chap. 86.
Boston News-
Letter, No. 219.

CHAPTER 29.

VOTE ALLOWING Y^E TREASURERS ACCOMPTS.

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver General of this Province, Beginning the 29th of May 1707, & Continued unto the 26th of May 1708, Amounting to the Sum of Fifty nine Thousand, Sixty five Pounds, fourteen Shillings & eight Pence, Having been Presented & laid before the House of Represent^{ves} & Inspected by said House, By which it appears, There was standing out on the said 26th of May, of the several Assessments, Ten Thousand one Hundred & Eighty nine Pounds twelve Shillings, As also of the Duties of Impost &c in Powder, to the Value of Three Hundred thirty five Pounds fourteen Shillings, as by Accompt received from James Russell Esq^r Commissioner to be drawn into the Treasury, & further to be accounted for;

Voted that the said Accompts in the several Articles of Receipts, &

Legislative
Records of the
Council, viii.,
370.

¹ Whether this was legislation is not quite clear. June 23 was itself a fast day "on ye account of ye worms." See Diary of Rev. James Green, Essex Institute Historical Collections, ix., 80, and Lewis & Newhall's *Annals of Lynn*, p. 209. Mr. Green says that he preached the sermon; and the next day, he says, "The worms abated." *Ibid.* Evidently the fast desired was not the one going on. The Boston News-Letter, No. 219, 21–28 June, 1708, says that "On Wednesday the 23d Currant, his Excellency was pleased by Proclamation To Appoint Thursday the Fifteenth Day of July next to be a Day of Solemn Fasting & Prayer throughout this Province." This is all the evidence at hand on the subject.

Payments therein mention'd, Amounting to the Sum of Forty eight Thousand five Hundred & forty Pounds eight Shillings & eight Pence, be & hereby are Approved, and Allow'd of, And the said Treasurer is hereby discharged of the said Sum of Forty eight Thousand five Hundred & forty Pounds eight Shillings & eight Pence. [*Passed June 23.*]

Legislative
Records of the
Council, viii.,
371.

Post, chap. 31.
Mass.
Archives, ii.,
271; iii., 114.
Colonial Rec-
ords of Con-
necticut, 1636–
1665, 579; 1706–
1716, 58, 67, 90.

CHAPTER 30.

ORDER FOR A COMM^{TEES} TO CONSIDER OF THE CONTROVERSY ABOUT THE SOUTH LINE. [*Passed June 23.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 31.

Legislative
Records of the
Council, viii.,
371.

Ante, chap. 30.
Post, chap. 49.

ORDER FOR COMM^{TEES} PROPOSAL ABOUT THE SOUTH LINE. [*Passed June 24.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 32.

RESOLVE ALLOWING £.20, TO THE]TOWN OF FALMOUTH.

Legislative
Records of the
Council, viii.,
372.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to the Town of Falmouth, towards the Support of their Charge & Cost in Purchasing a Settlement for their Minister. [*Passed June 24.*]

CHAPTER 33.

Legislative
Records of the
Council, viii.,
372.

Ante, chap. 16.
Mass.
Archives,
xxxI., 63, 66, 67,
90; cxxII., 309.
Executive
Records of the
Council, iv.,
602.

VOTE CONFIRMING INVOICE OF GOODS FOR A PRESENT TO Y^E FIVE NATIONS.

M^R COMMISSARY GENERAL offered a Memorandum sign'd by Coll: Schuyler of Goods to vest the One Hundred Pounds granted by this Court for a Present to the Five Nations, W^{ch} was Read & Accepted, and sent down to the Represent^{ves} And by a Message declared Acceptable to y^t House. [*Passed * June 25.*]

CHAPTER 34.

Legislative
Records of the
Council, viii.,
372. Mass.

Archives,
lxxI., 456.
Post, chap. 95.
Mass.
Archives,
cxxII., 308.

ORDER OF THANKS TO ANDREW BELCHER ESQ^R; AND REQUESTING HIM TO CONTINUE HIS SERVICES.

A MEMORIAL presented by Andrew Belcher Esq^r Commissary General Praying to be dismiss'd from that Office; Read &

Ordered That M^r Commissary General receive the Thankes of this Court for his good & faithful Service for the time pas^t And be Desired further to continue the same. [*Passed * June 25.*]

CHAPTER 35.

RESOLVE ALLOWING £.2, TO BENJ^A BIGGALOW.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} upon the Petition of Benjamin Biggalow of Watertown, for Loss of Time in Attending the Cure of a Wound received in her Majesties Service; Viz,

Resolved That the Sum of Forty shillings be Allowed, & Paid, out of the Publick Treasury to Benjamin Biggalow, the Petitioner. in full.

W^{ch} Resolve being Read at the Board, Was Concur'd. [*Passed June 25.*]

Legislative
Records of the
Council, viii.,
373. Mass.
Archives,
lxxi., 453.

CHAPTER 36.

VOTE FOR A MINISTER OF TIVERTON.

WHEREAS it has been represented & reported to this Court, at a Session in the Year past, by her Majesties Justices of the Court of General Sessions of the Peace in the County of Bristol Sitting in Court, That the Town of Tiverton in the said County, having been presented & complained of, for not Providing them selves of a Minister, as by Law is directed; And the necessary Orders by them made thereupon not being duly observed, but Eluded & Render'd ineffectual; For Remedy whereof, They remaining destitute of such a Minister;

Ordered that M^r Joseph Marsh Minister be treated with & obtain'd if it may be, and sent to the said Town; And that the Sum of Fifty Pounds be allow'd & paid out of the publick Treasury for his Maintenance the Year ensuing, or proportionably, If the Time of his Abode there should be less, The Sum of Thirty Pounds being added to the Tax of said Town this Session for that End. [*Passed June 26.*]

Legislative
Records of the
Council, viii.,
374.

CHAPTER 37.

ORDER FOR Y^E PAY & THE SUBSIST^{CE} OF ENSIGN JOS: EATON & COMP^A.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves} upon the Petition of Joseph Eaton of Salisbury; Read & Concur'd; Viz,

Ordered that the Petitioner have Liberty to make up a Muster Roll of Wages, & Subsistence of him self & thirty two Men under his Command as Ensign, for five Days Service from the 13th Day of August 1695, And that the Pay & Subsistence of the said Officer & Company be granted & Allow'd. [*Passed June 29.*¹]

Legislative
Records of the
Council, viii.,
376.

Mass.
Archives,
cxxii., 301.
Executive
Records of the
Council, iv.,
590.

¹ There is a discrepancy of dates in the records concerning this matter. The Executive Records of the Council, iv., 590, and the Mass. Archives, the latter recording payment for the five days to Ensign Eaton, give the date (13–17 August) 1699. There were Indian disturbances at Billerica in 1695. See Stoughton's letter to Fletcher, 24 August, 1695, Mass. Archives, ii., 406; Province Laws, vii., 479; Stoughton speaking of one disturbance as "about a Fortnight since," and another as "yesterday." No notice of any troubles in 1699 has been found.

CHAPTER 38.

ORDER FOR A HEARING ON PETITION OF LOWER KITTERY IN REGARD TO SUPPORT OF THE MINISTRY.

Legislative
Records of the
Council, viii.,
376.

Post, p. 201,
chap. 79.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves} upon the Petition of the Inhabitants of the lower Part of the Town of Kittery, Referring to the Support of the Ministry; Read & Concur'd; Viz,

Ordered that the Inhabitants of the Middle Part of the Town of Kittery be served with a Copy of this Petition, To give Reasons, If any they have, Why the Prayer of the Petition should not be granted at the next Session of this Court. [*Passed June 29.*]

CHAPTER 39.

ORDER ON WM PEPPERIL'S PET^{ION} IN REGARD TO A MILL.

Legislative
Records of the
Council, viii.,
376.

Mass.
Archives, lix.,
245.

UPON READING a Petition of William Pepperil of Kittery in the County of York, PRAYING Confirmation by this Court of a Grant of the Town of Kittery, to erect a Mill or Mills at the Creek going into Broad Boat Harbour;

Ordered that Joseph Hammond & Ichabod Plaisted Esq^{rs} Cpt: John Hill & the Sheriff of York, or any three of them report this Affair, And that they notify Robert Elliot Esq^r to attend his Concern therein. [*Passed June 29.*]

CHAPTER 40.

ORDER FOR EXCHANGING A 10/^s BILL FOR SIMON WILLARD.

Legislative
Records of the
Council, viii.,
376.

Ante, chap. 22.

Ordered that the Treasurer be directed to receive of M^r Simon Willard a Ten Shilling Bill of Credit on the late Colony of the Massachusetts Bay not endorsed by the Treasurer, and give him a Bill of Credit of like Value on this Province. [*Passed June 29.*]

CHAPTER 41.

ORDER OF THE COURT ON Y^E COMMITTEES REPORT IN REGARD TO THE CONTROVERSY BETWEEN M^r WOODBRIDGE & THE TOWN OF MEDFORD.

Legislative
Records of the
Council, viii.,
375. Mass.
Archives, xi.,
282.

Post, chap. 110.

THE REPORT of the Committee appointed at the last Session of this Court to hear & examine into the Controversy & Difference betwixt M^r Benjamin Woodbridge Minister, & the Town of Medford, is as follows; Viz, (The Order of the Committee being annex'd.)¹

IN OBEDIENCE to the Annexed Order, the Parties were Notified, and met at Charlestown, the Tenth of May last; and were fully heard, and their Controversy Examined

¹ This order of the committee is not preserved.

And upon Consideration of the present Miserable posture of their Affairs; their long time of Tryal; and that all proper means of healing are baffled

We are humbly of Opinion that their wound is Incurable. and that it is necessary that the Reverend M^r Benj^a Woodbridge and the Town of Medford be parted; according to the Advice of the Council of Churches there, July 10th 1705. and the Orders of Quarter Sessions of Middlesex

And that upon his Removal, the Town of Meadford pay unto M^r Woodbridge in Bills of Credit of this Province Forty pounds; and Deliver to him the Nine Sabbaths Contribution now in the hands of M^r John Whitmore. And this is to be a full issue and Determination of all Controversy & difference between the s^d M^r Woodbridge and the Town of Meadford

And upon M^r Woodbridges removal, and Inclination to Sell, It would be fair for the Town of Meadford to Offer, and to Continue for a Twelve Month to Offer Two hundred and Seventy pounds in Bills of Credit of this Province, for all his Real Estate in the s^d Town

June the 11th 1708. By Order of the Committee,

SAMUEL SEWALL.

Read and Accepted so far That m^r Benjamin Woodbridge be and hereby is Declared to be no longer Minister of Medford,

And that the Town pay him forty pounds in Bills of Credit In full of all Demands.

And the Town are Directed speedily to procure and Settle another Minister.

And this Court do Advise m^r Woodbridge by no meanes to discourage the coming and Settlement of another Minister among them. [*Passed June 30.*]

CHAPTER 42.

ORDER FOR LAYING OUT 500 ACRES OF LAND TO SIMEON STODDARD ESQ^r AND OTHERS. [*Passed July 1.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative Records of the Council, viii., 370. Mass. Archives, xlv., 365.

Colonial Records of Mass., iv., part 1., 441. Savage's Genealogical Dictionary, iv., 199, 457.

CHAPTER 43.

ORDER ON JOS: PARKER'S PETITION IN REGARD TO MAINTAINING HIS MOTHER-IN-LAW.

UPON READING a Petition of Joseph Parker of Groton, Praying that he may be repaid his Charge of Maintaining his Aged Mother in Law Isabel Blood by the Sale of the Land of her late Husband Richard Blood Dec^d

Ordered That the Justices of the Supericur Court at their next Sitting within the County of Midd^x cause all persons concern^d to appear then before them, And Examin into the matter of this Petition and Report the same to this Court at their next Session. [*Passed July 2.*]

Legislative Records of the Council, viii., 377. Mass. Archives, cv., 55.

Mass. Archives, cv., 54.

CHAPTER 44.

ORDER FOR REMOVING SACO FORT TO WINTER HARBOUR.

Legislative
Records of the
Council, viii.,
379. Mass.
Archives,
lxxi., 457.

Ordered That the Votes, of this House for Removing of Saco Fort, to Winter Harbour, Pass'd nov^r 17 : 1704, & aug : 31 : 1706. be Revived, & Put into Execution

Mass.
Archives,
lxxi., 264, 267,
402, 417, 426, 427.
Legislative
Records of the
Council, viii.,
325, 332, 374.
Executive
Records of the
Council, iv.,
455.

And That Maj^r Joseph Hamond & Capt: Lewis Bane, with Such as the Hon^{ble} Board shall appoint be a Committee, to Take care, to have the same effected as cheap, & expeditiously as may be, agreeable to the s^d Votes, & so that the charge shall not Exceed the sum of Three Hundred Pounds, Granted for that end.

In Council.

Read and Concurr'd and John Wheelwright Esq^r added. [*Passed July 2.*]

CHAPTER 45.

RESOLVE THAT £.3875 ¹³/₁₀₀ 5, IN Y^E TREAS^{RS} ACC^T OF BILLS BE FORTHWITH USED.

Legislative
Records of the
Council, viii.,
379.
Post, chap. 48.

JAMES TAYLOUR Gent: Treas^r & Receiver General of this Province, having Order from this Court to Emit by Way of Repetition, the Sum of Fourteen Thousand Pounds in the Bills of Credit on this Province, that already are or shall be brought into the Treasury towards Payment of the publick Debts, & for Carrying on the further growing Charge of the War &c,

AND forasmuch as the Article in his Accompt presented and Accepted by this Court at their Session in May 1706, of Four Thousand & sixty nine Pounds nine Shillings, with the Advance of Five per Cent: inserted to make the Ballance, makes him chargeable therewith to produce the same, upon all Demands of the Government; The said Bills being now demanded to be made further Use of, It is necessary the Treasurer have an Equivalent to ly with his Accompt to vouch that Article;

Resolved therefore that the said James Taylour be & hereby is Discharged of and from the afore said Sum of Four Thousand sixty nine Pounds nine Shillings, in the afore mention'd Accompt; And that he be Debited for the neet Sum of the said Bills a new put into his Hands for a Supply of the Treasury; Viz, For Three Thousand Eight Hundred Seventy five Pounds thirteen Shillings & five Pence. [*Passed July 2.*]

CHAPTER 46.

RESOLVE ON QUEST: UPON Y^E THIRD PARAG: OF THE ACT OF HOLDING OF COURTS OF GEN^{LL} SESSIONS &c.¹

Legislative
Records of the
Council, viii.,
382. Mass.
Archives, xl.,
916.

A QUESTION being moved upon the third Section or Paragraph in the Act for Holding of Courts of General Sessions of the Peace &^a made and pass'd in the Eleventh year of King William the Third. Viz^t

¹ Printed in the note to the Act of June 16, 1699, Province Laws, i., 417, 418; reprinted here, as important.

Whether the Bond for the good behaviour direct^d by the Said Act to be given in case of Appeale from the Sentence of the Justices in any Court of General Sessions of the Peace, be demandable of any other, Save of the persons prosecuted convicted and Sentenced for any crime, and his Sureties.

Resolved In the Negative. And that the Law is so to be understood and practiced accordingly, Any Usage or Custom to the contrary notwithstanding. [*Passed July 2.*]

CHAPTER 47.

ORDER FOR A COMM^{TEE} TO TAKE CARE OF Y^E INTERM^T OF CPT: SHELDEN.

UPON A MESSAGE from the Board That his Excellency Condoles the sudden Death of Capt: Joseph Shelden a Member of this House, this day & move's that his Funerall Charges be Defrayed out of the Publick Treasury,

Legislative
Records of the
Council, viii.,
382. Mass.
Archives,
xlviii., 396.

Ordered That a Message be sent up to the Board That this House gratefully accepts thes^d Message and agree's thereto, And That Joseph Parsons Sam^l Porter Esq^{rs} & Mr Sam^l Terry be Desired to make Provision, for thes^d Funerall (the Dec^{ds} Relations living very remote) & Present the Acc^o of the charge to this Court for Payment the time of Interment to be about ten o'clock, the funerall to Proceed from this House. [*Passed July 2.*]

Post, chap. 53.

CHAPTER 48.

RESOLVE THAT £.5821 „ 11 „ 3, IN Y^E TREAS^{RS} ACC^T OF BILLS BE FURTHER USED.

JAMES TAYLOR Gentⁿ Treasurer and Receiver of this Province having Order from this Court to Emit by way of Repetition, the Sum of Fourteen Thousand Pounds, in the Bills of Credit on this Province, that already are, & Shall be Drawn into the Treasury, towards Payment of the present Debt, & for Carrying on the further growing charge of the War &c^a and Forasmuch as the Article in his Accompt Presented & accepted by this Court, at their present Session. of Six Thousand, one Hundred, & twelve Pounds, twelve Shillings, and nine pence, with the advance of five p Cent. Inserted to make the Ballance, makes him chargeable therewith, to Produce the Same, upon all Demands of the Government, The Said Bills being now, Demanded to be further made use of, Its necessary the Treasurer have an equivalent, to Lie with his accompt to Vouch that article.

Legislative
Records of the
Council, viii.,
379. Mass.
Archives, cl.,
347.

Ante, chap. 45.
Post, chap. 50.

Resolved Therefore, That thesaid James Taylor Be & hereby is Discharged, of and from the afores^d Sum of Six Thousand, One Hundred, and twelve Pounds, twelve Shillings, & nine pence the aforementioned accompt, And That he be Debited for the Net Sum of five Thousand, Eight Hundred, twenty one Pounds, eleven Shillings, & threepence. [*Passed July 2.*]

CHAPTER 49.

Legislative
Records of the
Council, viii.,
383.

Ante, chap. 31.
Post, chap. 61.
Legislative
Records of the
Council, viii.,
382.

ORDER FOR A COMMITTEE TO CONSIDER OF YE RETURN OF M^{re} TAYLOUR'S
OBSERVATION OF Y^{re} SOUTH LINE. [*Passed July 3.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 50.

RESOLVE THAT £.14000, IN BILLS OF CREDIT BE EMITTED OUT OF Y^{re}
TREASURY.¹

Legislative
Records of the
Council, viii.,
383. Mass.
Archives, ci.,
348.

Ante, chap. 48.
Post, chap. 66.

Resolved That the Treasurer, be and hereby is Ordered, and Impowered, to Issue forth & Emit, the Sum of Fourteen Thousand Pounds, of Bills of Publick Credit, on this Province, which are or shall be received, into the Treasury, towards Payment of the Publick Debts of the Province, already Contracted, & the further Growing charge, for the Defence thereof, for Supplying, & Subsisting of the Province Galley, Forts, Garrisons, & Forces, Raised & to be Raised, & Imploied within the Same, & wages arising for their Service, for Payment of Grants, Salaries, and Allowances, made, & to be made, by this Court, according to Such Draughts, as from time, to time, shall be made upon him, by Warrant, or Order, of the Governor, by & with the Advice, & Consent of the Council; And the s^d Bills shall Passe out of the Treasury, at the value therein Expressed equivalent to money, & shall be Taken, & accepted, in all Publick Payments at the Advance, & after the Rate of five Pounds ~~p~~ centum more.

And That the Duties, of Impost, & Excise, Shall be a fund & Security, for the Repayment, & Drawing in of the s^d Bills, to the Treasury again, So far as that will Reach.

And as a further Fund, & Security for the Same, for the Paying of Souldiers Wages, & for Defreying, of the further necessary growing charge of the Province, The Defence of Her Maj^{ties} Subjects, & Interests within the Same, & Support of the Government thereof, There be and hereby is Granted, unto Her most Excellent Majesty, to the Ends, & uses afores^d a Tax of Fourteen Thousand Pounds; to be Levied, on Polls, & Estates, both Reall, & Personall within this Province, according to Such Rules, & in Such Proportion upon the Severall Towns, & Districts, within the Same, as shall be Agreed on, & Ordered by the Great, & Generall Court or Assembly of this Province, at their Session, in May anno 1710, Three Thousand Pounds thereof to be Paid in to the Treasurer, on or before the last Day of Novem^r in the s^d Year, The Remaining Eleven Thousand Pounds to be paid into the Treasurer, on or before the last day of May anno 1711. [*Passed July 3.*]

¹ Printed in the notes to the Acts for the year 1708–9, Province Laws, i., 634; reprinted here, as important.

CHAPTER 51.

ORDER ALLOWING £.17₁₁ 10₁₁ 9, TO NATH^l HOLMES.

UPON READING a Petition of Nathaniel Holme's, Setting forth that he supplied several Soldiers of the Garrison at his Majesties Castle William in the Year 1703, Then under the Command of the Hon^{ble} Thomas Povey Esq^r & at the Commanders Direction, with Clothing to the Value of Thirty five Pounds, one Shilling, & six Pence, with Promise that he should be paid it out of their Wages, W^{ch} is not perform'd; Praying to be paid out of the publick Treasury, Considering that the Wages of the whole Company was Order'd to be paid to the Lient: Govern^r then Captain of y^e Castle;

Legislative
Records of the
Council, viii.,
384.

Legislative
Records of the
Council, viii.,
64, 260.

Ordered that One Half of the Thirty five Pounds One Shilling & six Pence, Viz, Seventeen Pounds ten Shillings & nine Pence & no more be paid out of the publick Treasury to Nathaniel Holme's the Petitioner. [*Passed July 3.*]

CHAPTER 52.

ORDER CONDITIONALLY ALLOWING £.10, TO JOHN OLIVER.

UPON READING a Petition of John Oliver of Boston Cooper, Setting forth That Judgement is given against him for Ten Pounds and Three Pounds more for Cost & Charge as Surety for Gertrude Berry in the Year 1702, for Payment of her Excise, She Languishing & Dying some Months before the Year expired, together with the Order of the Represent^{ves} pass'd thereupon;

Legislative
Records of the
Council, viii.,
384. Mass.
Archives, ci.,
346.

Mass.
Archives, ci.,
343.

Ordered That Direction be Given to the Treas^r to Pay John Oliver the Petitioner, the sum of Ten Pounds, if & assoon as he shall have received, the sum of Ten Pounds for the Excise mentioned¹ on the other side. [*Passed July 3.*]

CHAPTER 53.

RESOLVE ALLOWING £.21₁₁ 6₁₁ 1, FOR CPT: JOSEPH SHELDEN'S FUNERAL.

AN ACCOMPT of the Charge expended about the Funeral of Cpt: Joseph Sheldon, a Member of the House, Amounting to Twenty one Pounds six Shillings & one Peny, with the Order pass'd by the House thereupon, Were Read & Concur'd; Viz,

Legislative
Records of the
Council, viii.,
385. Mass.
Archives,
xlviii., 397.

Resolved That the Sum of Twenty one Pounds, Six Shillings, & one Peny be allowed & Paid, out of the Publick Treasury, to the s^d Joseph Parsons Esq^r to Defrey the charges above mentioned. [*Passed July 5.*]

Ante, chap. 47.
Mass.
Archives,
xlviii., 396.

¹ In the petition.

CHAPTER 54.

VOTE REFERRING TO ANDOVER MEETING HOUSE.

Legislative
Records of the
Council, viii.,
385. Mass.
Archives, xi.,
255.

Post, chap. 63.
Mass.
Archives, xi.,
251, 252, 253, 254.

THE REPORT of the Committee appointed at the last Session, Referring to the Place for Setting up a new Meeting House in the Town of Andover being Disaccepted, and the following Vote pass'd thereupon by the House of Represent^{ves} was *Read & Agreed to*; Viz,

The Select Men of the Town of Andover are Directed to Call a Town Meeting, to know the mind of the Town, for the Placing of their Meeting House, & Receive their Vote for the Same. and if it may be to make a peaceable agreement therein, But if that cannot be, That They Represent It, to to¹ this Court, at the next session, to make a finall Issue & settlem^t of their Difference. [*Passed July 6.*]

CHAPTER 55.

RESOLVE ALLOWING £200, TO HIS EXCY Y^E GOV^R.

Legislative
Records of the
Council, viii.,
386.

Post, chap. 84.
Mass.
Archives,
cxxii., 307.
Legislative
Records of the
Council, viii.,
383, 384, 385, 386.
Sewall's Diary,
ii., 226.

Resolved that the Sum of Two Hundred Pounds be allow'd and paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Governour in Chief of this her Maj^{ies} Province for his Support in Managing the Affairs of the Government. [*Passed July 6.*]

CHAPTER 56.

RESOLVE ALLOWING TO Y^E JUDGES £16, EACH TO WAIT WINTHROP & JON^A CORWIN ESQ^{RS} 40^{LL}, TO SAM^{LL} SEWALL ESQ^R &c. EACH. £20, TO JN^O LEVERET ESQ^R.

Legislative
Records of the
Council, viii.,
386.

Resolved that there be allow'd & paid out of the publick Treasury, To the Hon^{ble} Wait Winthrop Esq^r & Jonathan Corwin Esq^r to each of them the Sum of Sixteen Pounds: To the Hon^{ble} Samuel Sewall, John Hathorne, & John Walley Esq^{rs} to each of them the Sum of Forty Pounds; And to the Hon^{ble} John Leveret Esq^r the Sum of Twenty Pounds, for their Service as Judges of the Superiour Court of Judicature the Year Currant, Ending the tenth Instant. [*Passed July 6.*]

CHAPTER 57.

RESOLVE ALLOWING £70, TO JAMES RUSSELL ESQ^R £15, TO DITTO. £15 _{ii} 11 _{ii} 6, TO DITTO. £4 _{ii} 13, TO DITTO.

Legislative
Records of the
Council, viii.,
386.

Resolved that the Sum of Seventy Pounds be Allowed and paid out of the publick Treasury to James Russell Esq^r Commissioner of Impost for his Service the Year past;

AND in Consideration that he has been necessitated to improve more

Help than usual to Assist in the Accompts of the said Office this Year, That fifteen Pounds more be paid to the said James Russell;

Also the Sum of Fifteen Pounds eleven Shillings & six Pence, As per Acc^t of necessary Expences in the said Office herewith Exhibited;

And the Sum of Four Pounds & thirteen Shillings for Service his Son did at the Castle & Galley, Annis 1695, 1697, as per Certificate herewith offered, In the whole the Sum of One Hundred & five Pounds four Shillings & six Pence to the said James Russell Esq^r. [*Passed July 6.*]

CHAPTER 58.

RESOLVE ALLOWING £.225, TO M^r TREASURER TAYLOUR.

Resolved that the Sum of Two Hundred twenty & five Pounds be allowed & paid out of the publick Treasury to M^r James Taylour Treasurer of this Province for his Service in the said Office the Year past. [*Passed July 6.*]

Legislative
Records of the
Council, viii.,
387.

Legislative
Records of the
Council, viii.,
386.

CHAPTER 59.

RESOLVE ALLOWING £.15, TO M^r JOHN WHITE.

Resolved that the Sum of Fifteen Pounds be allow'd & paid out of the publick Treasury to John White Clerk of this House in Part for his Service the Year Currant. [*Passed July 6.*]

Legislative
Records of the
Council, viii.,
387.

Post, chap. 97.
Legislative
Records of the
Council, viii.,
386.

CHAPTER 60.

RESOLVE ALLOWING £.30, TO JA: MAXWELL.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to James Maxwell Door keeper to his Excellency the Governour & this Court, for his Service the Year past, Ending the Eighth Day of June last. [*Passed July 6.*]

Legislative
Records of the
Council, viii.,
387.

Legislative
Records of the
Council, viii.,
386.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTIETH DAY OF OCTOBER, A.D. 1708.

CHAPTER 61.

RESOLVE ON ACC^T OF THE CHARGE OF INVESTIGATING Y^E SOUTH LINE,
AND ALLOWING £.16¹¹ - 6, TO M^R TREAS^R TAYLOUR THEREON.

Legislative
Records of the
Council, viii.,
391. Mass.
Archives, iii.,
118.

Ante, chap. 49.

AN ACCOMPT of Charges in Investigating the Province South Line in June past, Amounting to Sixteen Pounds & six Pence, Presented by M^r James Taylour, Treasurer, Sent up from the Representatives, with the following Resolve pass'd thereon, was Read & Concur'd; Viz,
Resolved That the Sum of Sixteen Pounds, & Sixpence to Discharge the above Acc^o be Allowed out of y^e Publick Treasury.

That M^r Taylor, the Artist, be Allowed Ten Shilling *p* day.

Ephraim Hunt Esq^r TEN Shillings, *p* day for himself & horse.

Capt: Josiah Chapin, five shillings *p* day.

Maj^r Samuel Thaxter, Seven shillings, *p* day for himself & Horse.
(The Time They Spent, in Discovering the Province Line, *p* order of this Court, being four Daies)

And to M^r Samuel Terry, the Sum of Ten shillings, the whole to be paid, to M^r Treasurer Taylor for his own Reimbursement & for the Persons abovementioned, as is granted to them. [*Passed October 23.*]

CHAPTER 62.

ORDER FOR A COMMITTEE OF BOTH HOUSES TO VIEW Y^E WORKS AT
CASTLE WILLIAM.

In Council.

Ordered That Elisha Hutchinson, John Foster and Andrew Belcher Esq^{rs} with such as shall be named by the Representatives, be a Committee to view the workes and Reparations lately made at Her Ma^{ty}s Castle William; Upon Tuesday next the 26th currant, and to Report the Same.

And his Excellency the Governo^r is prayed to Order the Castle Boats to attend the said Committee for their Transportation.

In the House of Representatives. Read & Pass'd a Concurrence. & John Clark, Josiah Chapin, Joseph Parsons Esq^{rs} maj^r John Bradford, & Capt: Charles Chambers, appointed to Joine in the affaire abovesd. [*Passed * October 23.*]

Legislative
Records of the
Council, viii.,
392. Mass.
Archives,
lxxi., 464.

Post, chap. 78.
Mass.
Archives,
lxxi., 465.

CHAPTER 63.

ORDER ON PETITION OF JA: FRY &c OF ANDOVER IN REGARD TO
THEIR MEETING HOUSE.

UPON READING a Petition of Cpt: James Fry & sundry others, principal Inhabitants of the Town of Andover, Praying to be heard upon a Vote pass'd in the said Town, referring to the Place of Setting up their Meeting House, & the Order pass'd upon the said Petition in the House of Representatives;

Ordered That the Prayer of this Petition be Granted, & a Hearing attended before this Court, on Thursday next, the Petitioners, forthwith to notify the opposite Party, & Serve them with a Copy of this Petition. [*Passed October 23.*]

Legislative
Records of the
Council, viii.,
392. Mass.
Archives, xi.,
262.

Ante, chap. 54.
Post, chap. 83.

CHAPTER 64.

ORDER ON PETITION OF INHAB^{TS} OF TAUNTON N^O PURCHASE &c. TO
HAVE A PRECINCT SET OFF. [*Passed October 25.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, viii.,
391. Mass.
Archives, cxiii.,
510.

Post, chap. 75.
Mass.
Archives,
cxiii., 511, 512,
516, 517.

CHAPTER 65.

ORDER ON ZECH^A BICKNAL'S PETITION IN REGARD TO A BARGAIN AND
SALE OF LAND BY HIM.

UPON READING a Petition of Zechariah Bicknal of Weymouth, Praying to be allow'd & Impowered by an Act or Order of this Court to perfect a Bargain & Sale by him made of his House and Land in Weymouth, to a Committee of the said Town for the Use of the Ministry there, & Execute a good & sufficient Deed & legal Conveyance thereof accordingly, The pretended or seeming Entail in the Will of his late Father John Bicknal notwithstanding, Considering the Words of the Will in the Clause refer'd to, & the Matters & Allegations set forth in the Petition;

Ordered That the Prayer of the Petition be Granted, And the Pet^r Zech^A Bicknell is permitted & allowed to Dispose and make Sale of his Housing and Lands thereinmencd as is Desired, and to Execute a Deed & Conveyance for the same. [*Passed October 26.*]

Legislative
Records of the
Council, viii.,
390. Mass.
Archives,
xvii., 201.

Mass.
Archives,
xvii., 203, 207.

CHAPTER 66.

ORDER ON COMM^{TEES} REPORT AB^T TORN & DEFACED BILLS OF CREDIT.

THE COMMITTEE appointed the last Session to sort & take an Account of the Bills of Credit on this Province being in the Treasury, that are defaced, torn, worn out & render'd useless, & to make up each Sort in distinct Papers under their Seals, Presented a Report of

Legislative
Records of the
Council, viii.,
392. Mass.
Archives, ci.,
350.

Ante, chap. 50.
Post, chap. 68.
 Executive
 Records of the
 Council, iv.,
 626.

the Quantity of Bills so separated, Amounting in the Whole to Fifteen Hundred and Thirty Pounds seven Shillings & eight Pence, And the late Massachusetts Colony Bills, Three Pounds five Shillings.

W^{ch} Report being Read is ACCEPTED, &

Ordered That the Treasurer be Directed to bring in y^e s^d Bills to be burn'd, and that he be Discharg^d for the same. [*Passed October 26.*]

CHAPTER 67.

ORDER ON PETITION OF Y^E SELECT MEN OF HAVERHILL, ABATING £.30, OF HAVERHILL TAX.

Legislative
 Records of the
 Council, viii.,
 393. Mass.
 Archives,
 cxiii., 456.

UPON READING a Petition of the Select Men of Haverhill humbly Representing the Distress'd Condition of the said Town by Reason of the Impressions lately made on them by the Enemy, Praying for an Abatement of their Quota to the Province Tax, with the Vote pass'd thereon by the House of Representatives;

Executive
 Records of the
 Council, iv.,
 613, 615, 620, 629.

Ordered That the Sum of Thirty Pounds be Abated of the Tax of Haverhil. [*Passed October 26.*]

CHAPTER 68.

RESOLVE FOR BURNING TORN & DEFACED BILLS, AND DISCHARGING TREAS^R OF £.1533 ¹²/₁₁ 8.

Legislative
 Records of the
 Council, viii.,
 393. Mass.
 Archives, ci.,
 349.

IN OBSERVANCE of the Order of Yesterday, M^r Allen the Treas^{rs} Clerk Attended wth y^e Bills reported by the Committee to be defaced, worne out, & of no further Use. Viz^t.

Ante, chap. 66.
Post, chap. 79.

1348 of 10 ^s Bills	£.674 ¹¹ / ₁₁ - ¹¹ / ₁₁ -	1827 of 5 ^s Bills	£.456 ¹¹ / ₁₁ 15 ¹¹ / ₁₁ -
2 five pound Bills	10 ¹¹ / ₁₁ - ¹¹ / ₁₁ -	6 Three p ^d Bills	18 ¹¹ / ₁₁ - ¹¹ / ₁₁ -
24 of 40 ^s Bills	48 ¹¹ / ₁₁ - ¹¹ / ₁₁ -	102 of 20 ^s Bills	102 ¹¹ / ₁₁ - ¹¹ / ₁₁ -
Parts of Bills	7 ¹¹ / ₁₁ 15 ¹¹ / ₁₁ 2	Three 5 ^s Bills Augment ^d	- ¹¹ / ₁₁ 15 ¹¹ / ₁₁ -
One Bill	- ¹¹ / ₁₁ 2 ¹¹ / ₁₁ 6	1180 of 2/6. Bills	147 ¹¹ / ₁₁ 10 ¹¹ / ₁₁ -
655 of 2 ^s Bills	65 ¹¹ / ₁₁ 10 ¹¹ / ₁₁ -		

Amounting to Fifteen hundred and Thirty pounds, Seven Shill^s 8^d Province Bills. And in Colony Bills 3^{li} 5^s In the whole. £.1533 ¹²/₁₁ 8.

Which were all burn'd before the Conneil & Cap^t Ephraim Savage & Cap^t Stephen French appointed by the Representatives.

Resolved, That M^r James Taylor Treasurer be and hereby is Discharged of the afores^d Bills, Am^o to Fifteen hundred thirty three pounds, Twelve shill^s & Eight pence, which lay as Vouchers of his Accompts for that Sum; wth the Advance of Five pounds p^p Cent. on the Province Bills. [*Passed October 26.*]

CHAPTER 69.

ORDER ON CPT: HENRY LOWDER'S PETITION IN REGARD TO ABATEMENT OF DUTIES.

Legislative
 Records of the
 Council, viii.,
 394. Mass.
 Archives,
 lxiii., 100.

UPON READING a Petition of Henry Lowder Master of the Ship Thomas & Sarah, Praying an Abatement of the Duties of Six Hogsheads, & twelve Tierces of Run brought in the said Ship from Barba-

dos, by one Job Almy of Rhode Island, a Passenger in the said Ship in the Year 1705, And the said Rum carried by the said Almy to Rhode Island, with the Order pass'd thereon in the House of Representatives;

Ordered That one halfe of the Said Duties be Abated to the Petitioner. [*Passed October 26.*]

CHAPTER 70.

ORDER REFERRING TO Y^E SESSIONS ABATING Y^E TAX IN NORTHAMPTON.

UPON READING a Petition of the Representative of Northampton on Behalf of the said Town, Praying an Explanation of the Act referring to the publick Taxes,

Ordered That no Persons, in this Province are Exempted from the Countrey Tax, but Such as are by Law Excepted, & that the Law makes the Assessors Judges, & not the Quarter Sessions for Polls, where the Poll is set at a certain Rate by law. [*Passed October 27.*]

Legislative
Records of the
Council, viii.,
395. Mass.
Archives,
cxlii., 451.

CHAPTER 71.

ORDER ON SAM^LL PATRIDGE ESQ^R HIS ACC^T.

Ordered That Col^o Partridge having received Pay as a military Officer, for one year, and having been Allowed, by this Court, full Compensation, for two years more, there remain's only one year to be Considered, for which he be Allowed Commissary Wages, viz^t Thirty nine pounds and to make up his Acc^t with the Commissary Generall for what he has received of the Province Stores. [*Passed October 27.*]

Legislative
Records of the
Council, viii.,
395. Mass.
Archives,
lxxi., 472.

Post, chap. 81.
Mass.
Archives,
lxxi., 471, 473.
Executive
Records of the
Council, iv.,
581, 582.

CHAPTER 72.

ORDER ON THE REPORT OF COMMITTEES ABOUT LANDS IN MIDDLEBORO.

UPON READING a Petition of Ephraim Little in Behalf of him self & the other Proprietors of the Town of Middleboro, Praying that the Report of the Committee appointed by this Court in the Year 1703, To hear the Claims of sundry Indians to Lands on Nantucket Marthas Vineyard, Assawamset, Titticut &c, Relating to Assawamset Neck in Middleborough afore said, as follows, may be Accepted Approved & Confirm'd; To Wit,

CONCERNING the Claim of Betty Susamon to Assawamset Neck and other Lands thereabouts, We find that the Will presented to us, which she says was made by Pamataquasan Dec^d is not truly translated, We having the Original to compare with the Copy, And also by the Confession of Cpt: Howdrie one of the Witnesses present, That the said Will was written many Years since the said Mattaquasans Death, As also that the English do not molest the said Betty in the quiet Enjoyment of the fifty eight Acres formerly possess'd by the said Felix on Assawamset Neck;

Legislative
Records of the
Council, viii.,
395. Mass.
Archives,
xxxi., 50.

Post, chap. 73.
Mass.
Archives,
xxxi., 49;
cxlii., 436, 437.
Legislative
Records of the
Council, viii.,
365.

Ordered That the Praier of this Petition be Granted. Saving to the Indians the 27 acres, & the 58, acres, as reserved in the Report. [*Passed October 27.*]

CHAPTER 73.

ORDER ON THE REPORT ABOUT BRIDGEWATER LANDS.

Legislative
Records of the
Council, viii.,
396.

Ante, chap. 72.

UPON READING a Petition of Edward Fobes Representative of the Town of Bridgewater, Praying that the Report of a Committee appointed by this Court in the Year 1703, to Hear the Claims of sundry Indians to Land in Nantucket, Marthas Vineyard, Assawamset, Titticut &c, Relating to Titticut as follows may be accepted, approved & confirm'd; Viz,

Isaac Wounoe appeared to prosecute his Claim to three Miles of Land on each Side of Ketticut River, Bridgewater Agents made it appear that they had purchased of Assamequin six Miles from their Center towards Ketticut, And that Chiketabut in his Grant to Ketticut Indians of three Miles doth except any former Purchase made by Bridgewater Men; We therefore think it necessary that Ketticut Indians & the said Wounoe have their three Miles after the Bridgewater Mens six Miles be meted out, or to have the Remainder if it be not so much;

Ordered that the Prayer of the Petition be so far granted, as Concerns the Grant to Bridgewater. [*Passed October 27.*]

CHAPTER 74.

ORDER ON PETITION OF Y^E INHABITANTS OF MALDEN, RESPECTING A MINISTER AT MALDEN.

Legislative
Records of the
Council, viii.,
396. Mass.
Archives, xi.,
275.

Mass.
Archives, xi.,
276.

UPON READING a Petition of Thomas Newhall & others in the Name & by the Appointment of the Town of Malden, Setting forth that by Reason of their Difficulty in Obtaining a settled Minister, The Court of Quarter Sessions within the County of Middlesex in September last appointed M^r Thomas Tufts Minister to come to them, some Time before which the Church had made an Invitation to one M^r David Parsons, who is to come to them, And the Church have given him a Call, & the Town have Concur'd therewith, That they are in a hopeful Way of a loving Agreement, & good Settlement of a Minister of their own Chusing, Praying the Order of the Quarter Sessions may be superseded, set aside, and made void;

Ordered That the Prayer of this Pet^{con} be Granted, So far that the Order of the Court of Sessions be Stayed, until the Issue of the affair referring to m^r Parsons. [*Passed October 29.*]

CHAPTER 75.

ORDER ON TAUNTON SOUTH PURCHASE PETITION IN REGARD TO A SEPARATE PRECINCT. [*Passed October 29.*]

Legislative
Records of the
Council, viii.,
397. Mass.
Archives, xi.,
258.

Ante, chap. 64.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 76.

ORDER ON PETITION OF BARNABAS LOTHROP ESQ^R &c. IN REGARD TO INDIAN LANDS PURCHASED BY THEM. [*Passed October 29.*][*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]Legislative
Records of the
Council, viii.,
397. Mass.
Archives, xlv.,
343.Mass.
Archives, xlv.,
346, 347. Leg-
islative Rec-
ords of the
Council, viii.,
359.

CHAPTER 77.

ORDER ALLOWING £3, TO ABEL WRIGHT.

A PETITION of Abel Wright of Springfield Setting forth his late Sufferings by the Enemy, And that he supplied Provisions for the Subsisting of her Majesties Forces that pursued them, and the Order pass'd thereon in the House of Represent^{ves} were Read & Concur'd ; Viz,

Ordered That the sum of Three Pounds be allowed, & Paid out of the publick Treasury, to the Petitioner, for the Provisions which he supplied to the Pursuers of the Enemy. [*Passed October 29.*]

Legislative
Records of the
Council, viii.,
398. Mass.
Archives,
lxxi., 463.

CHAPTER 78.

ORDER ON COMM^{TEES} REPORT OF REPAIRS NECESSARY AT CASTLE WILLIAM.

THE REPORT of the Committee appointed to view the Works & Reparations lately made at her Majesties Castle William, & their Proposal of what Repairs are yet wanting to be done ; Viz,

In p^{se}wance off the Order of yo^r Exclency the Hon^{ble} the Councell And Representetives in Gen^l Court Assembled Dated the: 23^d Octo^r 1708 @

On the 26th Currant we went in a Boat to Castle William And Uewed the works which we found Generally in good repaire And the most of the works finished which was Ordered to be don viz the Wharfes on both sids the Island, the Couert way And ablind for the East powder howse, the walls well pointed in the uper And Lower fort, And the Same Couered wth bords And Shingles, all which we Aprehend, is much for the Securety ofs^d works

And we Are of Opinion that thare is yet wanting to be don the Seuerall Repaires as follows viz

	ld	s	d
The two lynes of Communication to be Couered w th bords And Shingles we haue Computed may cost about .	26	00	00
A lyne of Stockados to be Sett downe on the Nort side of the Lower Battrry from the West wharfe to the East to Secure the Wall from the Sea we haue Computed may cost .	10	00	00
The Blockhowse to be Claborded which is Nessecary to preserue the Timber we haue Computed may cost .	8	00	00
The Platformes in the Lower lyne of Guns Are Some of them Defectiue And in regard the Guns now placed there are much Larger then the former, we Aprehend And are of Opinion that three Streaks be layd downe of three Inch Oake plank to bare the wheeles of the Caradges, pine plank not haueing Streinth in it to bare the Same we Suppose the cost And Charge may not Exseed .	36	00	00
There is wanting in the Upper Fort fue Guns And Carradges that shuld be upwards 2000 ^{ld} Each which we understand may be had for .	75	00	00
	155	00	00

ELISHA HUTCHINSON [p]¹ ord^r of Comitte¹ Manuscript mutilated.Legislative
Records of the
Council, viii.,
398. Mass.
Archives,
lxxi., 466.Ante, chap. 62.
Post, chap. 106.

Ordered That the Report, on the other side be Accepted, & what is therein Proposed, be done, assoon, & as cheap, as may be, excepting the Procuring of the five Guns, mentioned, in the last Article, which is Deferr'd for the present. [*Passed October 29.*]

CHAPTER 79.

RESOLVE FOR IMPRINTING £.10000, IN BILLS OF CREDIT. £.15000, IN BILLS OF CREDIT TO BE EMITTED.¹

Legislative
Records of the
Council, viii.,
338. Mass.
Archives, ci.,
352.

Ante, chap. 68.
Post, chap. 85.

Resolved That the Sum of Ten Thousand Pounds, of Bills, of Publick Credit, on this Province be further, & forthwith Imprinted, by the Committee that Imprinted the last Bills, (Saving that Capt: Ephraim Savage, is in the room of John Leverett Esq^r President of the College) One Thousand Pounds, whereof, to be made upon the Plate, which Contains 2/, & 2/6 Bills, the remaining Nine Thousand Pounds, to be made, upon the Plate which Contains 40/, 20/, 10/, & 5/ Bills, to be by them Delivered to the Treasurer, taking his Receipt for the Same, whose Pay for their Service, herein, Shall be in the Same Proportion, as for the Bills, they last made.

And the Treasurer, is hereby, Directed, & Impowered, to Issue, forth, & Emit, the Said Sum of Ten Thousand Pounds of Bills, together with Five Thousand Pounds, more of the Bills of Publick Credit, that are, or shall be Received into the Treasury, towards Payment, of the Publick Debts, of the Province, already Contracted, & the further growing charge, for the Defence thereof, for Supplying & Subsisting, of the Province: Galley, Forts, Garrisons, & Forces, raised, & to be Raised, & Imploied, within the same; & wages arising for their Service, for Payment, of Grants, Salaries, & Allowances made, & to be made, by this Court according to Such Draughts as from time, to time Shall be made upon him, by Warrant, or order of the Governor, by, & with the advice, & Consent of the Council. And the said Bills, Shall Passe out of the Treasury, at the value therein Expressed, equivalent to money, & shall be Taken, & accepted, in all publick Payments, at the advance, and after the Rate of five Pounds, $\frac{1}{2}$ cent. more.

And That the Duties, of Impost, & Excise, Shall be affund, & Security, for the Repayment, & Drawing in, of the S^d Bills, to the Treasury again, So far as that will Reach.

And as afurther Fund, & Security, for the same, for the Paying of Souldiers Wages, & for Defreying of the further necessary growing charge of the Province, the Defence; of her Majesties Subjects, & Interests within the Same, & Support of the Government, thereof, there be, & hereby is granted, unto her most Excellent Majesty To the Ends, & Uses afores^d a Tax of Fifteen Thousand Pounds, to be Levied, on Polls, & Estates both Real, & Personall, within this Province according to Such Rules, & in Such Proportion, upon the Sevrall Towns, & Districts, within the same, as shall be agreed on, &

Ordered by the Great & Generall Court, or Assembly of this Province, at their Session in May 1711, Eleven Thousand Pounds thereof to be Paid, into the Treasurer, on or before the last day of November, in the s^d year, the remaining Four Thousand Pounds, to be Paid in to the Treasurer, on or before the last day of May 1712. [*Passed October 29.*]

¹ Printed in the notes to the Acts for the year 1708–9, Province Laws, i., 635; reprinted here, as important.

CHAPTER 80.

VOTE FOR SENDING THO: ODELL TO BE CONFINED AT CASTLE WILLIAM.

WHEREAS Thomas Odell, now prisoner in Her Ma^{ty}s Goale in Boston under Sentence of Her Ma^{ty}s Court of Assize and General Goale Delivry to Suffer Twelve months Imprisonm^t and to pay a Fine of Three Hundred pounds to Her Majesty. &^a for being concern'd with others in Counterfeiting and uttering false Bills of Credit on this Province, hath once broken Prison and made his Escape; And since that is Charged with committing divers Theft's, being a very dangerous person

And it being Suggested That some ill minded persons are Contriving again to worke his Escape.

Resolved That for his better and more safe keeping, It shall and may be Lawful to and for any two of Her Ma^{ty}s Justices of the s^d Court of Assize and they are accordingly Directed, by Writ of *Habeas Corpus* to y^e Sheriffe of the County, to cause the said Thomas Odell to be removed from the s^d prison In order to his being sent to Her Ma^{ty}s Castle William, there to be straitly Confined, until he perform the abovesaid Sentence, and be brought to answer by due proecess of Law for his other Crimes Any Law Custom or Usage to the contrary notwithstanding. [*Passed November 1.*]

Legislative
Records of the
Council, viii.,
401. Mass.
Archives,
lxxi., 476.

CHAPTER 81.

RESOLVE ALLOWING £.38, TO COLL. SAM^{LL} PATRIDGE.

A RESOLVE pass'd in the House of Representatives upon a Review of the Accompts of Colonel Samuel Patridge¹ Read & Concur'd; Viz,

Resolved That the Sum of Thirty Eight Pounds be further Allowed, & Paid out of the publick Treasury, to Samuel Partridge Esq^r the Petitioner, in full for his Service mentioned, in this his Petition. [*Passed November 2.*]

Legislative
Records of the
Council, viii.,
401. Mass.
Archives,
lxxi., 470.

Ante, chap. 71.
Mass.
Archives,
lxxi., 471, 473.

CHAPTER 82.

ORDER ON CPT: EPHRAIM SAVAGE'S PETITION, COMPLAINING OF OUSTER OF LANDS BY THE SHERIFF.

UPON READING a Petition of Captain Ephraim Savage, Complaining That he is Ousted of a Messuage or Tenement Orchard and Land, Consisting of about thirty acres, Lying situate in Reddin within the County of Midd^x by the Sheriffe of, the s^d County mislaying an Execution issuing out of Her Ma^{ty}s Superiour Court of Judicature at the Suit of Francis Smith, Jeremiah Swayne and Mary his wife, and Judgment rendred for the said Smith and Swayne to recover Possession of One Hundred acres of Land according to their Demand by the Writ or Attachment. And in Variance from the Verdict, Judgment and Precept or Writ of *haber facias possessionem* to him Directed.

Ordered That Her Ma^{ty}s Justices of the said Superiour Court at their next Sitting within the County of Midd^x Do Inspect and Examin into the Record and process of the said Suit and Execution made thereon and cause what is amiss therein to be rectified, and to see that be

Legislative
Records of the
Council, viii.,
402. Mass.
Archives, xl.,
919.

Mass.
Archives, xl.,
917, 934, 935, 936.

¹ As commissary. — Mass. Archives, lxxi., 470.

done w^{ch} is agreeable to Right & Justice. That the Subject be not oppressed grieved & have just cause of Complain^t. [*Passed November 3.*]

CHAPTER 83.

Legislative
Records of the
Council, viii.,
402. Mass.
Archives, xi.,
277.

ORDER FOR DIVIDING THE TOWN OF ANDOVER INTO TWO PRECINCTS.
[*Passed November 3.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 63.
Mass.
Archives, xi.,
263 *bis*, 264, 266,
267, 268, 270.

CHAPTER 84.

RESOLVE ALLOWING £.300, TO HIS EXCY.

Legislative
Records of the
Council, viii.,
403.

Ante, chap. 55.
Post, chap. 99.
Executive
Records of the
Council, iv.,
597.

Resolved that the Sum of Three Hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Governour in Chief of this her Majesties Province for his Support in Managing the Affairs of the Governm^t. [*Passed November 3.*]

CHAPTER 85.

COMMITTEES REPORT ABOUT ARTICLES OF GRIEVANCES ACCEPTED BY YE COURT, TOGETHER WITH REPORT ABOUT BILLS OF CREDIT.

Legislative
Records of the
Council, viii.,
404.

Ante, chap. 79.
Post, chap. 132.
Mass.

Archives,
xlviii., 398, 400,
403, 404; cviii.,
59. Legislative
Records of the
Council, viii.,
378, 380, 394, 399,
400.

UPON CONFERENCE by the Committees appointed by both Houses to conciliate a good Agreem^t between the Houses relating to the sev^{al} Articles of Payments out of the Treasury, Voted by the Represent^{ves} as Grievances

WE humbly offer, As to the Articles of Wages paid to the Gunner of the Fort at Salem, & to the Gunner of the Fort in Marblehead, & Centinels posted in the said Forts, That for the Future a Gunner at each of the said Forts be maintained at the Charge of the respective Towns;

That for & during the Continuance of the present War with France & not afterwards, There be one Centinel for the Winter Half Year, and two Centinels more to make three in all in the Summer, in Ordinary maintain'd at the Fort in Salem at the Province Charge for Wages & Subsistence, If his Excellency see Cause to post so many there;

That for & during the Continuance of the present War with France and not afterwards, There be one Centinel in Ordinary for the Summer Half Year maintained at the Fort in Marblehead at the Province Charge for Wages & Subsistence:

That the Rolls for the two Years last past remaining unpaid be made up accordingly, & in that Proportion, If so many Centinels have been posted & served at the said Forts respectively:

As to the Article of Expence about Illuminations &c, That Nothing be further said thereof for what is past, No future Charge to be drawn upon the Publick for the like Occasion without this Courts Approbation:

As to the Article of Expence on the Court Martial, It not being probable such an extraordinary Occasion will again happen, That Article to be dismiss'd without further Insisting on:

As to the Article of Monthly Wages to the Captain of the Galley That the Captain have Liberty to speak for him self before the Court, And that he have such Allowance as this Court shall Order :

As to the Article of Charge for his Excellency's Attendance & Guard, in his Journeys Eastward &c, That for the Future no Draught be made upon the Treasury for the same without the Allowance of this Court :

We have also had Consideration of what is refer'd to us by the Court about the Projection of Stamps Scrowles & Colours to be used in the Impression of the Bills of Credit now Ordered to be made ;

And humbly offer that the Date of the Year be alter'd to the present Year 1708, And that the Scrowle on the Back of the Bills be made of Red Ink. [*Passed November 3.*]

CHAPTER 86.

GEN^{LL} THANKS GIVING APPOINTED.

UPON A MOTION from the House of Represent^{ves} That a General Thanks Giving be appointed on or as near a Day as may be convenient ;

Advised that Thursday the twenty fifth of November Instant be appointed for Celebrating a Thanks Giving, And a Proclamation was drawn up accordingly. [*Passed * November 3.*]

Legislative
Records of the
Council, viii.,
405.

Ante, chap. 28.
Post, chap. 135.
Boston News-
Letter, No. 239
(Mass. Historical
Society).
Sewall's Diary,
ii., 243.

CHAPTER 87.

RESOLVE ALLOWING £.5, TO SARAH COFFIN.

A PETITION of Sarah Coffin Relict Widow of William Coffin of Salem lately slain in her Majesties Service, Praying for some Relief to be granted for her self, & her fatherless Children ; And the Resolve pass'd thereon in the House of Represent^{ves} were Read & Concur'd ; Viz,

Resolved, That the Sum of Five Pounds be Allowed and Paid out of the publick Treasury, to the Petitioner in Consideration of the remarkable forwardnesse, & Courage, which her late Husband distinguished him self by, in the action, wherein he was Slain. [*Passed November 3.*]

Legislative
Records of the
Council, viii.,
405. Mass.
Archives,
lxxi., 461.

CHAPTER 88.

RESOLVE ALLOWING £.3, TO DAVID WHITTAKER, AND £.3, TO JN^O PRESCOTT.

A PETITION of David Whittaker of Concord, Praying Allowance out of the publick Treasury in Consideration of a Wound he received whilst in her Majesties Service, being shot through one of his Legs near the Ham with a Brace of Bullets, by the accidental Discharge of one of his Fellow Troopers Pistols, W^{ch} Shot came through a Part a little above his Anle, with a Resolve pass'd thereon by the House of Represent^{ves} Read & Concur'd ; Viz,

Resolved That the Sum of Three Pounds be Allowed, & Paid out of the publick Treasury to the Petitioner in full for his losse of time &c^a And the sum of Three Pounds to m^r Jon^a Prescot jun^r the chyrurgion that cured him, in full for his cure. [*Passed November 4.*]

Legislative
Records of the
Council, viii.,
406. Mass.
Archives,
lxxi., 474.

Mass.
Archives,
lxxi., 475.

CHAPTER 89.

RESOLVE ALLOWING £3⁰ 8⁰⁰ TO M^R SAM^{LL} HUNT.

Legislative
Records of the
Council, viii.,
406. Mass.
Archives, xi.,
262.

A PETITION of M^r Samuel Hunt, Praying to be paid the Sum of Fifteen Pounds over & above the Eighteen Pounds he received by Order of this Court for his Service as Chaplain at Dunstable, and three Pounds eight Shillings short paid him for his Service as Chaplain in the late Expedition to Nova Scotia, with the Resolve pass'd thereupon in the House of Represent^{ves} were Read & Concurd; Viz,

Resolved That the Sum of Three Pounds & eight Shillings, be Allowed, and Paid out of the publick Treasury, to M^r Samuel Hunt, the Petitioner, for what he is Short paid, in the late Expedition, to Nova Scotia, And That the Town of Dunstable Pay him what remain's due to him for his Service there. [*Passed November 4.*]

CHAPTER 90.

VOTE FOR CPT: SOUTHACK'S WAGES &c.

Legislative
Records of the
Council, viii.,
407. Mass.
Archives,
ixiii., 101.

Post, chap. 134.

Ordered That Capt: Cyprian Southack Comānder of the Province Galley, be allowed, Six Pounds, p month, Wages, And have the Tender of being the Purser to Victuall the men, at Such Rate, as shall be agreed with him by a Committee, to be appointed for that end. for the Year next coming. [*Passed November 5.*]

CHAPTER 91.

Legislative
Records of the
Council, viii.,
408. Mass.
Archives,
xi., 271.

Mass.
Archives, xi.,
273 *bis*.

ORDER ON BRANTREY PETITION FOR TWO PRECINCTS. [*Passed November 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 92.

ORDER FOR ADDITIONAL ALLOW^{CE} FOR SNOW SHOOS.

Legislative
Records of the
Council, viii.,
408. Mass.
Archives,
ixxi., 477.

WHEREAS, It is Complain'd, That the Allowance for those, who are Injoined by Law, to be constantly provided, with Snow Shoes, and Mogginsons is too Small.

Ordered That Two Shillings, p man, for the year next coming, and one Shilling p year for the two next years after, be further allowed to each of the Said Persons.

And That effectuall Care be Taken, That they be forthwith Provided with Snow Shoes, & Mogginsons, & alwaies kept in good Repair, as the Law Directs. [*Passed November 5.*]

CHAPTER 93.

ORDER ON PETITION OF BENJA CHURCH &c RESPECTING A HIGH WAY
AT FREETOWN.

UPON READING a Petition of Coll: Benjamin Church & others Proprietors of the Southerly Part of the Town of Freetown referring to a high Way or Road from the fall River towards Taunton Bounds;

Ordered That this Pet^{son} be referr'd and Recommended to the Court of Quarter Sessions in the County of Bristol, to review the Report of their former Committee of a Streight and more convenient highway or Road to be laid out for the better accommodation of the Town and Travellers; And to pursue the same accordingly. [*Passed November 6.*¹

Legislative
Records of the
Council, viii.,
406. Mass.
Archives,
exlii., 460.

Records of the
Court of Quar-
ter Sessions,
Bristol County,
11 Jan'y, 1708.

CHAPTER 94.

ORDER FOR COMM^{TEES} FOR Y^E REPAIRS OF Y^E PRESIDENT'S HOUSE
AT CAMBRIDGE.

Ordered That M^r Speaker, and M^r Stephen Willis, be a Co^mittee, to Take Care for the Repair, of the House built, for the use of the President, of Harvard College at Cambridge, & Bring in the acc^o of the Charge, to this Court. [*Passed November 6.*

Legislative
Records of the
Council, viii.,
407. Mass.
Archives,
lviii., 266.

CHAPTER 95.

RESOLVE ALLOWING £.200, TO THE COMMISS^y GEN^{ll}.

Resolved that the Sum of Two Hundred Pounds be allow'd and paid out of the publick Treasury to the Hon^{ble} Andrew Belcher Esq^r Commissary General for his good Service in the s^d Office the Year past, Ending the nineteenth of August last. [*Passed November 6.*

Legislative
Records of the
Council, viii.,
409.
Ante, chap. 34.

CHAPTER 96.

RESOLVE ALLOWING £.50, TO Y^E SECR^y.

Resolved that the Sum of Fifty Pounds be allow'd & Paid out of the publick Treasury to the Hon^{ble} Isaac Addington Esq^r for his extraordinary Service for this Province the Year Currant, Ending the next Month. [*Passed November 6.*

Legislative
Records of the
Council, viii.,
409.

¹ The foregoing order was based upon an answer of the Quarter Sessions to a petition for relief from an order of confirmation of the return of a jury as to the laying out of the road in question. A committee had previously been appointed by the Quarter Sessions to view and report in regard to the road; and it was alleged in the petition that the jury, which was to lay out the road conformably to the committee's report, had laid it out otherwise and improperly. The Quarter Sessions had, however, confirmed the jury's return, and now gave answer to the petition for relief that the court could not alter its record, at the same time advising the petitioners to apply to the legislature. This they did, with the result above shown; which virtually gave the court authority to alter its record.

CHAPTER 97.

RESOLVE ALLOWING £.15, TO M^R JOHN WHITE CLERK.

Legislative
Records of the
Council, viii.,
409.

Ante, chap. 59.
Post, chap. 125.

Resolved that the Sum of Fifteen Pounds be further allowed & Paid out of the Publick Treasury to John White Clerk of this House for his Service the Year Curr^t ending in May next. [*Passed November 6.*]

CHAPTER 98.

RESOLVE ALLOWING £.20, FOR Y^E MINISTRY AT DEERFIELD.

Legislative
Records of the
Council, viii.,
409. Mass.
Archives, xi.,
274.

Resolved That the Sum of Twenty Pounds, be Allowed, & Paid out of the publick Treasury towards the support of the Ministry in the Town of Deerfield, the year ensuing beginning the 6th of Decem^r next. [*Passed November 6.*]

CHAPTER 99.

RESOLVE ALLOWING £.20, FOR THE GOV^{ES} CHARGE IN HIS JOURNEY EASTW^D.

Legislative
Records of the
Council, viii.,
410. Mass.
Archives, xlviii., 407.

Ante, chap. 84.
Legislative
Records of the
Council, viii.,
405, 407.

IN CONSIDERATION of the extraordinary Occasion of his Excellency the Govern^{rs} Journeying Eastward, for the settling of the Fort at Winter Harbour. &c^a

Resolved That the Sum of Twenty Pounds be Allowed, & Paid out of the Publick Treasury towards the charge of his Journey. [*Passed November 6.*]

CHAPTER 100.

RESOLVE ALLOWING £.20, FOR Y^E MINISTRY AT BROOKFIELD.

Legislative
Records of the
Council, viii.,
410. Mass.
Archives, xi.,
274.

Mass.
Archives, xi.,
274.

Resolved That the sum of Twenty Pounds be allowed, & Paid out of the Publick Treasury towards the maintaining a minister in the Town of Brookfield the year currant to begin from the time of a ministers going

If he there Continues a year, and in proportion for the time, a minister is there, which minister Shall be approved by the ministers, of the three next neighboring Towns. [*Passed November 6.*]

CHAPTER 101.

RESOLVE ALLOWING £.30, TO DANIEL LAWRENCE.

Legislative
Records of the
Council, viii.,
410. Mass.
Archives, lxiii., 102.

Resolved That the Sum of Thirty Pounds be allowed and Paid out of the Publick Treasury to the within-mentioned Daniel Lawrence, for his service¹ the year past. ending Octo^r last. [*Passed November 6.*]

¹ As the waiter at the Impost office. — Legislative Records of the Council, viii., 410.

CHAPTER 102.

ORDER FOR LAYING OUT 800 ACRES OF LAND TO YE HEIRS OF JON^A WADE. [*Passed November 6.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, viii.,
410. Mass.
Archives, xlv.,
367.

Mass.
Archives, xlv.,
368, 369.

CHAPTER 103.

RESOLVE FOR COMM^{TEE} FOR BOSTON OUT WHARVES.

Resolved that The select Men of the Town of Boston. that now are be a Co^mittee to Consider what is necessary for the repairing of the Wall or out wharfe before the Cove in Boston: and Caus a New sur-veigh to be made of the said Flatts and the Circular Line to be staked out and each mans Right apportioned agreeable to a Covenant made by the Select men of said Town with the undertakers of said Wharf: Reserving to the Town: that the Flatts that ly before their highways leading into said Cove be Continued their full breadth to the Circular line: and that they make return of their doings therein (and of the names of those that refuse to repair the severall parts by them undertaken) unto the sessions of this court in may next for their Approbation and Confirmation and for their further Directions therein. [*Passed November 6.*]

Legislative
Records of the
Council, viii.,
410. Mass.
Archives,
cxiii., 469.

Mass.
Archives,
cxiii., 461, 463,
467, 468.
Records of
Boston Select-
men, 1701-1715,
73, 78, 83.

CHAPTER 104.

ORDER ON ELISA: HALL'S PETITION FOR JAMES HALL'S COLLECTING THE TAX &c.

A PETITION of Elisabeth Hall Widow & Administ^r of the Estate of John Hall of Taunton, late one of the Constables of said Town Dec^d Praying that his Brother James Hall with whom the Select Men of the said Town have Agreed to gather in what is remaining unpaid of the List committed to him as his Part of the Province Tax made for Taunton in the Year 1706, He not having perfected the said Collection in his Life Time, with the Order pass'd thereon in the House of Represent^{es} Were Read & Concur'd with; Viz,

Ordered That the Praier of the Petition be Granted, & the s^d James Hall, is appointed Collector to Gather in that part of the Tax which is outstanding, that was Co^mitted to Constable John Hall, dec^d And the Treasurer is hereby Impowered, to make out his Warrant accordingly. [*Passed November 6.*]

Legislative
Records of the
Council, viii.,
411. Mass.
Archives, xvii.,
211.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE SIXTEENTH DAY OF FEBRUARY, A.D. 1708–9.

CHAPTER 105.

RESOLVE ALLOWING JOHN CLARK ESQ^R £14¹/₆, FOR HIS ACC^T OF
PRINTING M^R COTTON MATHER'S SERMON.

Legislative
Records of the
Council, viii.,
415. Mass.
Archives, lviii.,
267.

UPON AN ACCOMPT offer'd by John Clark Esq^r for the Charge of
Paper and Printing a Sermon of M^r Cotton Mather's by Order of the
House; Read & Concur'd; Viz,

Mass.
Archives,
cxvii., 313.
Executive
Records of the
Council, v., 36.

Resolved That the Sum of Fourteen Pounds one shilling & Sixpence,
be allowed, & Paid out of the publick Treasury to John Clark Esq^r in
full of the acc^o on the other side. [*Passed February 17.*]

CHAPTER 106.

ORDER FOR A COMM^{TEE} OF BOTH HOUSES TO VIEW THE WORKS AT
CASTLE WILLIAM.

Legislative
Records of the
Council, viii.,
415. Mass.
Archives,
lxxi., 491.

In the House of Representatives

Ante, chap. 78.
Post, chap. 120.

Ordered That Capt: Stephen French Maj^r Samuel Thaxter, & M^r
Stephen Willis be a Committee, with Such as the Hon^{ble} Board shall Ap-
point, to Go down to Castle William assoon as conveniently may be,
& view the Platforms there, & make Report to this Court, in what
method they Think it is most proper to Repair them

In Council.

Read and Concurr'd. And Ephraim Hunt & Sam^l Appleton Esq^{rs} wth
Col^o Winthrop Captⁿ of the Castle were appointed of the Committee
for y^e affair aforesaid. [*Passed February 17.*]

CHAPTER 107.

VOTE FOR SENDING A MESSAGE TO THE L^D LOVELACE GOV^R OF NEW
YORK, AND APPOINTING A COMM^{TEE} TO DRAW THE INSTRUCTIONS.

Legislative
Records of the
Council, viii.,
414.

Post, chap. 113.
Mass.
Archives, iii.,
121.

Voted that two Gentlemen be desired & appointed to undertake a
Journey to New York, to Congratulate his Excellency the Lord Love-
lace upon his Arrival to his Governm^t And to Urge the Service of
the Maquas, & other the Five Nations of Indians, in the present War
against the French & Indians:

And that Elisha Hutchinson Esq^r & the Sec^{ry}. be a Committee to draw the Instructions with such as the Represent^{ves} shall add to them.

W^{ch} Order was Agreed to by the Represent^{ves} And M^r Speaker, Josiah Wolcott & Robert Hale Esq^{rs} are joined with the Committee of the Board in the Affair afore said. [*Passed * February 18.*]

CHAPTER 108.

RESOLVE ALLOWING £.10, TO JOHN GYLES ON HIS PETITION.

A PETITION of John Gyles of Salem Cordwainer Praying for some benevolent Relief in Consideration of a Wound received in her Majesties Service in his left Arm, whereby it is rendered useless, with the Resolve pass'd thereon by the Repres^{ves} Read & Concur'd; Viz,

Resolved That the Sum of Ten Pounds be Allowed & Paid, out of the publick Treasury to John Gyles the Pet^r for his Smart, & losse of Time. [*Passed February 19.*]

Legislative
Records of the
Council, viii.,
417. Mass.
Archives,
lxxi., 492.

CHAPTER 109.

RESOLVE ALLOWING £.3, TO JOHN TOWN ON HIS PETITION.

A PETITION of John Town of Topsfield Praying an Allowance for Loss of his Time & Charge for Cure of a Wound received whilst in her Majesties Service, with the Resolve pass'd thereon by the Represent^{ves} Read & Concur'd; Viz,

Resolved That the Sum of Three Pounds be Allowed & Paid out of the publick Treasury to John Town the Petitioner, in full for his Losse of Time Cure &c^a. [*Passed February 19.*]

Legislative
Records of the
Council, viii.,
417. Mass.
Archives,
lxxi., 482.

Mass.
Archives,
lxxi., 483,
484.

CHAPTER 110.

ORDER ON MEDFORD PETITION RELATING TO M^r BENJ^a WOODBRIDGE.

A PETITION of sundry Inhabitants of Medford, Complaining of the Proceedings in a Town Meeting held the sixth of December past, Viz, In Calling & M^r Benjamin Woodbridges Accepting to preach with them, Contrary to the Order of the Court, with the Order pass'd on the said Petition in the House of Represent^{ves} Read & Agreed to; Viz,

Ordered That the Select men of the Town of Medford, and the moderator, in a Town Meeting there, on the 6th Dec^r 1708, & m^r Benj^a Woodbridge Do Attend this Court, on Tuesday the 22th of this Instant, & Give an acc^o of their Proceedings in Calling & M^r Woodbridge his Accepting, to Preach with them notwithstanding the Order of this Court to the contrary. And that M^r Woodbridge have a copy of this Petition. [*Passed February 19.*]

Legislative
Records of the
Council, viii.,
417. Mass.
Archives, xi.,
284.

Ante, chap. 41.
Post, chap. 117.
Mass.
Archives, xi.,
281, 282, 286
bis, 287.

CHAPTER 111.

ORDER FOR A HEARING ON NATH^{LL} HOBART'S PETITION, PRAYING
REMEDY FROM FORFEITURE OF A PENAL BOND.

Legislative
Records of the
Council, viii.,
418. Mass.
Archives, xi.,
931.

Mass.
Archives, xi.,
909, 929, 930.
Legislative
Records of the
Council, viii.,
367.

UPON READING a Petition of Nathaniel Hobart of Hingham, Praying that this Court will provide Remedy to Relieve him in Equity from the Forfeiture of a Penal Bond found against him at the Superiour Court, at the Suit of Ebenezer Prout;

Ordered That the Pet^r cause Ebenezer Prout the Adverse party to be Served with a Copy of this Pet^{con} That he may shew cause if any he have, on the Second Wednesday of the next Session of this Court, why this Court should not consider the Complaint thereinmencd and provide releife for the Pet^r as is prayed for. [*Passed February 21.*

CHAPTER 112.

ORDER ON REPORT OF THE COMM^{TEE} RELATING TO DARTM^O & TIVERTON, AND ORDER RESPECTING THE TOWN OF DARTMOUTH.¹

Legislative
Records of the
Council, viii.,
417. Mass.
Archives, xi.,
290.

Mass.
Archives,
cxiii., 480, 485,
487, 488. Leg-
islative Rec-
ords of the
Council, viii.,
412, 415, 416, 418.
Executive
Records of the
Council, iv.,
625, 651.

IN THE CASE of Dartmouth referring to the Sum of Four Hundred & thirty seven Pounds eleven Shillings being their Proportion to the Tax now in Collecting, Whereof this House is sensible, That Sixty Pounds was intended for the Support of M^r Hunt Minister there, Who has lately attended the Council, & acquainted them, That he has had such Acceptance there in so short Time of his Residence, That his Auditors have Agreed to build a Meeting House, & have subscribed to pay him Thirty Pounds for the first Year, besides his Entertainment at Bed & Board, Whereupon in Hopes of the Success of his Ministry, He is willing to refer himself to the good Providence of God, & the Care of his Friends, & is altogether unwilling any Distress be made upon the said Town of Dartmouth for any Part of the said Sum;

Ordered That if the persons attending this Court from that place shall pay and Secure to the Treasurer the remainder of the Tax that is £377 „ 11. the Treasurer is directed to discharge the Prisoners from that Town thereupon. And that he also Grant Warrant for Collecting the said Tax of £377. 11 „ — as if there had been no proceeding against the Assessors now Imprison'd for the reimbursing of the persons advancing the money as aforesaid. [*Passed February 23.*

CHAPTER 113.

DRAFT OF INSTRUCTIONS TO Y^E COMMISSIONERS TO WAIT ON LORD
LOVELACE, ACCEPTED.

Legislative
Records of the
Council, viii.,
419. Mass.
Archives, iii.,
121.

THE COMMITTEE appointed to prepare Instructions for the Commissioners to attend his Excellency the Lord Lovelace, Reported their Draught; W^{ch} was Read & ACCEPTED, & Agreed to by the Representatives.

¹ The report of the committee related “to the Affair of Dartmouth & Tivertons Taxes;” the order is “for issuing the Affair as to Dartmouth in the words following” in the text *supra*.

Province of the Massachusetts Bay in New-England. By his Excell^{ty} Joseph Dudley Esq^r Gov^r &c^a

INSTRUCTIONS to be Observed by In their Attendance upon his Excell^{ty} The Lord Lovelace Governour of Her Ma^{ty}s Provinces of New-Yorke &c^a by the Appointment of my Selfe and the General Assembly of this Province.

You are Desired, the first and next opportunity of seasonable weather, with your attendant Servants, to undertake and Set forth on a Journey to New-Yorke, by the best way you shall thinke fit, on the Service of this Province.

At your coming thither, forthwith attend his Excell^{ty} The Lord Lovelace, Deliver him my Letter, accompanying you, and Acquaint his Lord^p That you attend him, by the Appointment of my Selfe and the General Assembly, to Congratulate his Excell^{ty}s happy arrival to his Governm^{ts} and to Express our Desire of a mutual friendly neighbourhood and Correspondence; which in all Instances shall be Cultivated on our part, and we are justly perswaded, from his Lord^{ps} noble Character, to Expect on his part.

Embrace all favourable Opportunity's to Discourse his Lord^p on the head of the War, and the necessity, and most reasonable Expectation, That all Her Ma^{ty}s Governm^{ts} Lying so contiguous, should Combine to yield mutual Succours and Assistance Each to other, and by a United force to Oppose the power of the Enemy.

withal Acquainting his Lord^p how hard the War has press'd on this Province and how heavy the burden and Charge for the Support thereof, has lay'n upon Her Ma^{ty}s good Subjects here. by the space of near twenty year's past, and the very great Losses they have Suffered both in men and Estate; whilst some other of Her Ma^{ty}s Plantations have felt Little thereof, either in charge or Losses, and been in a great measure quiet, being covered by our maintaining the Frontier.

You are to Observe to his Lord^p how Serviceable the Maqua's and the other Tribes of the Western Indians, dependant on his Lord^{ps} Governm^t have been in former Wars whilst they have acted offensively in Conjunction with Her Ma^{ty}s Subjects; and by their marches in party's towards Canada, have greatly distress'd, made considerable Spoils on them and their assistant Indians, and prevented the Descents from that side on these Plantations; which now are frequent. And they are the last Terror to our Eastern Salvage Rebels, by whome we are greatly oppressed.

You are also to Observe to his Lord^p That we have been well Informed of their good Inclination and readiness to take up the hatchet, as their phrase is, to Assist their Bretheren of New-England; may they have his Lord^{ps} allowance and Commission for the same; being perfectly under his Lord^{ps} Influence and Direction.

And Endeavour to make his Lord^p Sensible of the just fears there are of the Defection of those Tribes, and their being debauched by the French, whilst they stand neutral and are not Improv'd in the War; They are of active Sanguinary Spirits, used to War, and cannot be Suppos'd to content themselves long to sit still; whilst they see the Country *round about them*¹ fill'd with hostility, rapines, fire and Sword. Besides the Opportunities that are thereby given to any among them, that may be false or corrupted, of communicating Intelligences and conveying Supply's to the Enemy, by meanes of their frequent Inter-course with Canada. The Consequences of Losing them would be fatal to Her Ma^{ty}s Interests on this Continent.

You are to give his Lord^p to understand That we are made Certain, The French are continually Caressing, and by Gifts and other Methods

Ante, chap. 107.
Post, chap. 116.
Legislative
Records of the
Council, viii.,
472.

¹ These words in Italics are underscored in the original report.

strenuously Labouring to debauch and bring them over to their side, and have their Missionary Priests and Jesuits constantly instilling their bigoteries in Religion, Solliciting them to Inbib their poysonous Doctrines and modes of Worship, set forth with outward Lustre and pleasing to Sense; which if they prevail upon 'em to Embrace, will perfectly fix them in their Interests.

It is the Policy of the French King Expressly to Command his Governo^r of Canada to keep all things quiet on the side of Orange; which he say's he has strictly Observed, as we have seen by his Letter to the Governo^r of Port-Royal, happily Intercepted. It seem's the most probable way, of Counterworking his profound Designe therein to put the Indians upon acting hostilitys against the French, whereby they will become Obnoxious to them, and be the more easily steady'd and fix'd in Her Ma^{ty's} Interests.

You are, with greatest Instance to Urge the foregoing Considerations upon his Lord^p with such further arguments as may occur to you, on the debate of this affair, to prevail with his Lord^p to consent and Allow of their taking up Armes and Acting offensively in the present War.

Having press'd this affair with his Lord^p so far as with decency you may, you are to take Leave and prepare for your return with what dispatch you can.

ELISHA HUTCHINSON in the name of the Co^mitte

[*Passed * February 23.*]

CHAPTER 114.

ORDER FOR TAKING UP A SLOOP IN DEFENCE OF Y^E COAST.

Legislative
Records of the
Council, viii.,
419. Mass.
Archives,
lxiii., 94.

UPON CREDIBLE INFORMATION of a Privateer Sloop seen off Cape Cod, on Wednesday the 16th Curr^t by a Vessel arrived yesterday at this Port,

Ordered That a sutable well Sayling Vessell be forthwth Taken up on Her Ma^{ty's} Service, Equipp'd and fitted up in warlike manner for the Defence of the Coast, until¹ the Province Galley be fitted out.

And that his Excell^{cy} the Governo^r be Desired to give the necessary orders accordingly. To Commissionate a Sutable Commander, and Enforce her with fifty men.

M^r Commissary General Captain Charles Chambers & Captain Thomas Hutchinson to be a Committee to make Inquiry and pitch on a proper Vessell for that occasion. [*Passed February 23.*]

CHAPTER 115.

ORDER ABATING IMPOST DUTY UPON A CARGOE OF BIBLES &c.

Ordered That the Duties of Impost upon a Cargoe of Bibles, & Paper &c^a lately Arrived here from the Hon^{ble} the Company for Propagating the Gospel in New England & Parts Adjacent in America. be Remitted & Abated. [*Passed February 23.*]

¹ There is a stroke of the pen partly through this word — probably accidental.

Legislative
Records of the
Council, viii.,
420. Mass.
Archives,
lviii., 267.

Sewall's
Diary, ii., 216–
218, 257, 265.
Sewall's Let-
ter-Book, i.,
379–381, 388.

CHAPTER 116.

VOTE DESIRING WAIT WINTHROP & JOHN LEVERET ESQ^{RS} TO BE MESSENGERS TO NEW YORK.

Legislative
Records of the
Council, viii.,
420. Mass.
Archives, iii.,
119.

Voted That the Hon^{ble} Wait Winthrop & John Leveret Esq^{rs} be Desired to Undertake the Journey to New-York as Messengers from this Court. [*Passed February 23.*]

Ante, chap. 113.
Post, chap. 133.

CHAPTER 117.

RESOLVE IN MEDFORD AFFAIR RELATING TO M^R WOODBRIDGE.

Resolved That the proceedings had in a Town Meeting held at Medford within the County of Midd^x the 6th of Dec^r past, Complained of by sundry of the Inhabitants. Viz^t of the Moderators putting m^r Woodbridge to Vote for the calling of him to preach there, and m^r Woodbridge his accepting and preaching there on that Vote, is very Irregular and contrary to an Act of this Court.

Legislative
Records of the
Council, viii.,
420. Mass.
Archives, xi.,
284.

Ante, chap. 110.
Mass.

Archives, xi.,
288, 289 *bis*.

Legislative
Records of the
Council, viii.,
417, 419.

And Her Ma^{ty}s Justices of the Court of General Sessions of the Peace within the said County are Directed to Inquire into their Contempt and proceed therein, as to Justice appertaineth And also to see that the Town be provided of some other Minis^{ters}¹ as the Law Directs. [*Passed February 24.*]

CHAPTER 118.

VOTE ON PROPOSAL REFERRING TO SHERBURN & FRAMINGHAM. SEE Y^E 17 FAMILIES ANNEXED TO FRAMINGHAM BY A CLAUSE IN Y^E TAX BILL ANNO 1709. [*Passed February 25.*]

Legislative
Records of the
Council, viii.,
419. Mass.
Archives,
cxlii., 482.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 23.

CHAPTER 119.

ORDER FOR ADVERTISEMENTS RESPECTING THE SCAB AMONG Y^E SHEEP.

THIS HOUSE being inform'd of an infectious Disease call'd the Scab brought from beyond Sea among the Sheep belonging to some of the Islands & Necks of Land in or near Boston;

Legislative
Records of the
Council, viii.,
421. Mass.
Archives, i., 68.

Ordered That Avertisements thereof be Imprinted, & sent, to the Severall Towns of this Province, That all Persons may be Advised of, & Endeavour to Prevent the Spreading of so great a mischief.

In Council.

Read and concurr'd. [*Passed February 25.*]

¹ MS. mutilated.

CHAPTER 120.

VOTE ACCEPTING REPORT OF Y^E COMM^{TEE} RESPECTING THE PLATFORMS
AT Y^E CASTLE.

Legislative
Records of the
Council, viii.,
422. Mass.
Archives,
lxxi., 493.

Ante, chap. 106.
Legislative
Records of the
Council, viii.,
421.

THE FOLLOWING REPORT of the Committee for Viewing the Plat forms at her Majesties Castle William, *Accepted* by the House of Represent^{ves} Read & Concur'd; Viz,

PURSUANT to an Order of the Ganarall Court: dated february the 16: 1708: The Committe therein mentioned went to Castle William and then and theire viewed y^e Lower Platform at the Lower Batery and find that the westernmost part of s^d Platform reaching 92 foot in Length where the Lighter Guns stand may do for Seurall years with Little or no repaireations: and for the rest of the s^d Platform it being Laid with Pine planke and Sleepers which are much decaid and haue no good foundation so that it is sunke from it's Leuel the Committe Judge that it will be most for y^e profit of the Prouince to Lay the same a new with white oak plank and white oake sleepers: and to Lay it on such a fondation (of timber)¹ as the Comitty for that afaior shall thinke fitt

EPHR: HUNT in the Name of the Commit^{ee}.

[*Passed * February 25.*]

CHAPTER 121.

ORDER FOR A HEARING ON DUXBURY & MARSHFIELD PETITION IN
REGARD TO THE ROAD OVER JONES'S RIVER.

Legislative
Records of the
Council, viii.,
422. Mass.
Archives,
cxiii., 503.

Mass.
Archives,
cxiii., 500, 504;
cxxi., 133, 134.
Winsor's
History of
Duxbury, p. 31.

A PETITION of the Towns of Duxborô & Marshfield, Praying that the ancient Road or High Way over the River call'd Jones's River, within the County of Plimouth, may be restored & continued, with the Order passed thereon in the House of Represent^{ves} Read and Concur'd; Viz.,

Ordered That the Justices of Quarter Sessions in the County of Plymouth & Barnstable be served with a Copy of the Petition, & be heard before this Court on the second Wednesday, of their Session in May next, to answer the Complaints therein. [*Passed * February 25.*]

CHAPTER 122.

ORDER FOR ABATING IMPOST OF RUM TO CPT: TEATE.

Legislative
Records of the
Council, viii.,
422. Mass.
Archives,
lxiii., 106.

Ordered That the Duties of Impost upon Three Hogsheads of Rum, lately Taken by Capt: Tate, & belonging to him, in a ship whereof John Welch was Comānder be abated. [*Passed February 25.*]

¹ Words in parenthesis were inserted in the margin.

CHAPTER 123.

ORDER FOR CONTINUING HEARINGS &c.

Ordered, That all Petitions, Hearings and other matters referr'd to this Session, or having day therein, be Adjourn'd and further Continued to the next Session of this Court, and stand to the same days thereof. [*Passed February 26.*]

Legislative
Records of the
Council, viii.,
421. Mass.
Archives,
xlviii., 393.

CHAPTER 124.

ORDER REFERRING TO THE ASSESSOR OF TIVERTON.

IN THE CASE of Tiverton referring to the Imprisonment of Richard Borden as Assessor of that Town for not Assessing their Quota of Two Hundred Pounds set on them by this Court to the Tax now in Collecting offer being made to pay into the Treasury One Hundred & seventy Pounds thereof, So that Borden the Prisoner be discharged.

Legislative
Records of the
Council, viii.,
422. Mass.
Archives,
cxlii., 486.

Ordered That upon the Tender of One Hundred and Seventy pounds forthwith to the Treasury, the Treasurer receive the same and Direct the Discharge of the prisoner. Leaving the remaind^r of the said Sum of £200. to the Direction of this Court to be Collected; Unless upon Application from the Town this Court see cause to remit or abate it.

Mass.
Archives,
cxlii., 473,
477-479.
Legislative
Records of the
Council, viii.,
417. Executive
Records of the
Council, iv.,
625.

The whole Sum of £.200. to be apportioned on the Inhabitants pursuant to the Treasurers Warrant formerly sent to the Select men or Assessors, And upon return made to the Treasury that it is so done, The Treasurer is Ordered to make out a Warrant for the present Collecting of £.170. onely, for the reimbursing of him or them, who shall now advance and pay the same into the Treasury. [*Passed February 26.*]

CHAPTER 125.

RESOLVE ALLOWING £.5, TO M^r JOHN WHITE.

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to John White Clerk of this House, for extraordinary Service, & Expence for the House. [*Passed February 26.*]

Legislative
Records of the
Council, viii.,
423.

Ante, chap. 97.

CHAPTER 126.

RESOLVE ALLOWING £.23 ¹¹/₁₀₀ —, TO THE OVERSEERS OF THE POOR IN BOSTON.

Resolved that the Sum of Twenty three Pounds & nineteen Shillings be allowed & paid out of the publick Treasury to the Overseers of the Poor in the Town of Boston, to discharge their Accompt presented for Entertainment of Warner Cox & Smart, & Cloathing for Smart, to the twelfth of February Currant, All on the Province Accompt. [*Passed February 26.*]

Legislative
Records of the
Council, viii.,
423.

CHAPTER 127.

RESOLVE ALLOWING £.10, TO NATHAN SYMONS.

Legislative
Records of the
Council, viii.,
423. Mass.
Archives,
lxxi., 494.

Resolved That the sum of Ten Pounds be allowed & Paid out of the publick Treasury to Nathan Simons the Petitioner; in full for his cure Smart &c^a. [*Passed February 26.*¹

CHAPTER 128.

RESOLVE ALLOWING £.6, TO JON^a MARSH.

Legislative
Records of the
Council, viii.,
423. Mass.
Archives,
lxxi., 486.

Resolved That the Sum of Six Pounds be allowed & Paid, out of the Publick Treasury to Jonathan Marsh the Petitioner, in full for his Smart, & losse of time. [*Passed February 26.*²

CHAPTER 129.

RESOLVE ALLOWING £.8, TO JOHN BRAGG.

Legislative
Records of the
Council, viii.,
424. Mass.
Archives,
lxxi., 488.

Resolved That the sum of Eight Pounds be Allowed & Paid out of the publick Treasury to John Bragg the Petitioner in full for his cure, & losse of Time. [*Passed February 26.*³

CHAPTER 130.

RESOLVE ALLOWING £.200, FOR FURNISHING Y^e POWDER HOUSE.

Legislative
Records of the
Council, viii.,
424.

Executive
Records of the
Council, v., 37.

Resolved that a Sum not exceeding Two Hundred Pounds be allow'd & paid out of the publick Treasury for Furnishing⁴ the Powder House. [*Passed February 26.*

¹ In Legislative Records of the Council, viii., 423, this resolve appears as follows: "*Resolved* that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Nathan Symonds of Haverhill, in full for his Cure, Smart &c of a Wound received, when the Enemy attacked that Town in August past."

In both copies of Legislative Records of the Council the name is spelled "Symons" as well as "Symonds," viz., State Library copy, viii., 435; Secretary's copy, viii., 423, and his signature is "Nathan Simons," Mass. Archives, lxxi., 494.

² In Legislative Records of the Council, viii., 423, this resolve appears as follows: "*Resolved* that the Sum of Six Pounds be allowed & paid out of the publick Treasury to Jonathan Marsh of Salem, in full for his Smart & Loss of Time occasion'd by a Wound received in her Majesties Service."

³ In Legislative Records of the Council, viii., 424, this resolve appears as follows: "*Resolved* that the Sum of Eight Pounds be allow'd and paid out of the publick Treasury to John Bragg of Ipswich, in full for his Cure, and Loss of Time by a Hurt received whilst in her Majesties Service at Casco Fort."

According to the minute in the Executive Records of the Council, v., 37, it was at Saco Fort that Bragg was "hurt." In Mass. Archives, lxxi., 490, a letter from Bragg's commanding officer states that Bragg was crippled "at foort Mary at Saco."

⁴ This is clearly "furnishing," in both copies of the Legislative Records of the Council, i.e., the Secretary's, viii., 424, and the State Library's, viii., 435, but the word is no less distinctly "finishing" in the Executive Records of the Council, v., 37.

CHAPTER 131.

RESOLVE ALLOWING £.25 ⁵/₁₀₀ 4, TO DISCHARGE THE ACC^T OF SEV^LL COM-MAND^{RS} IN THE SERVICE IN AUGUST LAST.

Resolved that the Sum of Twenty five Pounds five Shillings & four Pence be allowed & paid out of the publick Treasury to discharge the Account of Expences of several Commanders in the Service in August last; Viz. Coll: Ephraim Hunt, Six Pounds twelve Shillings & ten Pence, Major John Turner, Six Pounds twelve Shillings & six Pence, Major Henry Somersby, Six Pounds, Cpt: Walter Price, Forty Shillings, Cpt: Joseph Herrick Four Pounds. [*Passed February 26.*]

Legislative
Records of the
Council, viii.,
424.

CHAPTER 132.

RESOLVE FOR EMITTING THE SUM OF £.3000, IN BILLS OF CREDIT, AND PROVIDING A FUND TO MEET THE SAME.¹

Resolved That the Treasurer, be & hereby is, Ordered & Impowered, to Issue forth, & Emit the Sum of Three Thousand Pounds of Bills of publick Credit on this Province, which are or shall be received into the Treasury, towards Payment, of the publick Debts, of the Province, already Contracted, & the further growing Charge, for the Defence thereof, for Supplying & Subsisting of the Province Galley, Forts, Garrisons, & Forces; Raised & to be Raised, & Imploied, within the Same, & Wages, arising for their Service, for Payment, of Grants, Salaries & allowances, made, & to be made, by this Court, according to Such Draughts, as from time to time, shall be made upon him, by warrant or Order, of the Govern^r by and with the advice, & Consent of the Council. And the s^d Bills Shall Passe out of the Treasury, at the value therein expressed, equivalent to money, & shall be Taken & accepted in all publick Payments, at the Advance, & after the Rate of five Pounds $\frac{p}{100}$ Centum more.

Legislative
Records of the
Council, viii.,
424. Mass.
Archives, vii.,
354.

Ante, chap. 55.

And That the Duties, of Impost, & Excise, shall be a Fund, & security, for the Repayment, & Drawing in of the s^d Bills, to the Treasury again, So far as that will Reach.

And as a further Fund, & Security, for the Same, for the Paying of Souldiers wages, & for, Defreying, of the further necessary growing charge, of the Province, the Defence of her Majesties Subjects, & Interests, within the Same, & Support of the Government thereof, there be, & hereby is Granted, unto her most Excellent Majesty, to the Ends and uses afores^d a Tax of Three Thousand Pounds. to be Levied on Polls, & Estates, both Reall & Personall, within this Province according to Such Rules, & in Such Proportions, upon the Severall Towns & Districts, within the Same, as shall be Agreed on & Ordered, by the Great & Generall Court or Assembly of this Province at their Session in May anno 1711. To be paid in to the Treasurer, on or before the last day of May 1712. [*Passed February 26.*]

¹ Printed in the notes to the Acts of the year 1708-9, Province Laws, i., 635; reprinted here, as important.

CHAPTER 133.

ORDER DESIRING JN^O HIGGINSON ESQ^R TO GO TO YORK IN CASE EITH^R OF Y^E COMMISS^{ES} DECLINE &c. AND ALLOWING £.100, TO THE COMMISS^{ES}.

Legislative
Records of the
Council, viii.,
425. Mass.
Archives, iii.,
122.

Ante, chap. 116.

Ordered That If either [of] the Commission^{rs} nominated by this Court to attend his Excell^{cy} the Lord Lovelace at New-Yorke shall Decline that Service, or be prevent^d of undertaking the same That John Higginson Esq^r be Desired to Supply his place.

And that the Sum of One Hundred Pounds be Advanced to them out of the Treasury towards their charges and Expence. [*Passed February 26.*]

CHAPTER 134.

ORDER FOR A COMM^{TEE} TO AGREE FOR VICTUALLING Y^E PROVINCE GALLEY.

Legislative
Records of the
Council, viii.,
425. Mass.
Archives,
lxiii., 107.

Ante, chap. 90.

Ordered That Capt: Chambers, M^r Barnes & Capt: Hutchinson, be a Committee, to Agree with the Captⁿ of the Province Galley, for his victuelling of the s^d ship pursuant to a vote of this House Pass'd the 5th of Nov^r last. [*Passed February 26.*]

CHAPTER 135.

PUBLICK FAST APPOINTED.

Legislative
Records of the
Council, viii.,
423. Executive
Records of the
Council, v., 33.

Ante, chap. 86.

A MESSAGE from y^e House to pray that a Gen^l Fast may be appointed.

A Proclamation for a General Fast, upon Thursday the 24th of March current, at the Motion of the Assembly in their last Session, was read, Advised to and signed by his Excellency. [*Passed March 2.*]

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1709-10.

LEGISLATIVE LIST¹

FOR

1709-10.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WAIT WINTHROP	}	ESQRS.
JOHN HATHORNE		
WILLIAM BROWN		
ELISHA HUTCHINSON		
SAMUEL SEWALL		
ISAAC ADDINGTON		
JOHN PHILLIPS		
JONATHAN CORWIN		
JOHN FOSTER		

PETER SERGEANT	}	ESQRS.
PENN TOWNSEND		
JOHN APPLETON		
JOHN HIGGINSON		
ANDREW BELCHER		
SAMUEL PATRIDGE		
EDWARD BROMFIELD		
EPHRAIM HUNT		
DANIEL EPES		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW	}	ESQRS.
JOHN CUSHING		

NATHANIEL PAYNE	}	ESQRS.
JOHN OTIS		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayne;

ELIAKIM HUTCHINSON, ICHABOD PLAISTED¹ & JOHN WHEELWRIGHT, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, ESQ.

¹ Plaisted's name is not subscribed to the qualifying oaths.

For the Province, at large:—

JOHN WALLEY & NATHANIEL NORDEN, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 25, 1709 to April 25, 1709–10.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

<i>Boston,</i> . . .	John Clark, Esq.,
	Mr. James Barns,
	Capt. Thomas Hutchinson,
	Capt. Thomas Fitch.
<i>Roxbury,</i> . . .	Mr. William Dennison
<i>Dorchester,</i> . . .	Mr. Hopestill Clap.
<i>Milton,</i> . . .	Mr. George Sumner.
<i>Brantry,</i> . . .	Capt. John Mills.
<i>Weymouth,</i> . . .	Capt. Stephen French.
<i>Dedham,</i> . . .	Mr. John Fuller.
<i>Medfield,</i> . . .	Mr. Henry Adams.
<i>Mendon,</i> . . .	Josiah Chapin, Esq.
<i>Wrentham,</i> . . .	Mr. Robert Ware.
<i>Brookline,</i> . . .	Mr. John Winchester.
<i>Hingham,</i> . . .	Samuel Thaxter. ¹

COUNTY OF ESSEX.

<i>Salem,</i> . . .	Josiah Wolcott, Esq.,
	Capt. John Brown.
<i>Ipswich,</i> . . .	Nehemiah Jewett, Esq.,
	Mr. Nathaniel Knolton.
<i>Lynn,</i> . . .	John Burrill, Esq.
<i>Marblehead,</i> . . .	Mr. Richard Trevott.
<i>Beverly,</i> . . .	Mr. Samuel Balch.
<i>Wenham,</i> . . .	Mr. William Fiske.
<i>Topsfield,</i> . . .	Mr. Tobijah Perkins.
<i>Andover,</i> . . .	Mr. John Aisleby.
<i>Bradford,</i> . . .	Capt. Richard Kembal.
<i>Haverhill,</i> . . .	Mr. James Saunders.
<i>Boxford,</i> . . .	Mr. Thomas Pearly.
<i>Rowley,</i> . . .	Mr. Ezekiel Jewett.
<i>Newbury,</i> . . .	Mr. Cutting Noyes.
<i>Salisbury,</i> . . .	Mr. Joseph Eaton.
<i>Amesbury,</i> . . .	Mr. William Fowler.
<i>Glocester,</i> . . .	Mr. James Davis.

COUNTY OF MIDDLESEX.

<i>Cambridge,</i> . . .	Capt. Thomas Oliver.
<i>Charlestown,</i> . . .	Capt. Samuel Phips.

COUNTY OF MIDDLESEX — *Concluded.*

<i>Watertown,</i> . . .	Mr. Samuel Biglow.
<i>Newtown,</i> . . .	Mr. John Ward.
<i>Sudbury,</i> . . .	Mr. John Haynes.
<i>Marlboro',</i> . . .	Mr. Peter Rice.
<i>Sherburn,</i> . . .	Mr. Samuel Bullard.
<i>Frammingham,</i> . . .	Capt. Joseph Buckminster.
<i>Groton,</i> . . .	Mr. John Farnworth.
<i>Concord,</i> . . .	Mr. Benjamin Whitmore.
<i>Chelmsford,</i> . . .	Mr. Stephen Pierce.
<i>Billerica,</i> . . .	Mr. John Sterns.
<i>Woburn,</i> . . .	Mr. John Pierce.
<i>Reading,</i> . . .	Mr. Timothy Wiley. ²
<i>Malden,</i> . . .	Mr. John Greenland.

COUNTY OF HAMPSHIRE.

<i>Springfield,</i> . . .	John Pynchon, Esq.
<i>Northampton,</i> . . .	Mr. Ebenezer Pomroy.
<i>Westfield,</i> . . .	Mr. Stephen Kellogg.
<i>Suffield,</i> . . .	Mr. Jonathan Taylour.
<i>Enfield,</i> . . .	Mr. Samuel Terrey.
<i>Hadley,</i> . . .	Mr. Daniel Marsh.
<i>Hatfield,</i> . . .	Mr. Eleazur Frary.

COUNTY OF PLIMOUTH.

<i>Plimouth,</i> . . .	James Warren, Esq.
<i>Scituate,</i> . . .	Mr. Samuel Clapp.
<i>Marshfield,</i> . . .	Mr. Nathaniel Winslow.
<i>Duxborough,</i> . . .	Mr. Samuel Seabury.
<i>Bridgewater,</i> . . .	Mr. Edward Fobes.

COUNTY OF BARNSTABLE.

<i>Barnstable,</i> . . .	Mr. Samuel Chipman.
<i>Sandwich,</i> . . .	Mr. Samuel Prince.
<i>Yarmouth,</i> . . .	Mr. Zechariah Paddock.
<i>Eastham,</i> . . .	Mr. John Payne.

COUNTY OF BRISTOL.

<i>Bristol,</i> . . .	Mr. Nathaniel Blagrove.
<i>Taunton,</i> . . .	Mr. Robert Crossman.

¹ He was sworn, and his election is shown by the town records, but his name is not in the Secretary's list.² Erroneously entered "Whitten," in the Secretary's list.

COUNTY OF BRISTOL—*Concluded.*

Swanzey, . . Mr. Ephraim Pierce.
Rehoboth, . . Mr. Daniel Smith.
Attleboro, . . Mr. David Freeman.
Little Compton, Mr. William Fobes.
Tiverton, . . William Manchester.¹
Dartmouth, . . Joseph Tripp.²

DUKES COUNTY.

Chilmark, . } Major Benjamin Skiffe.
Tisbury, . }

COUNTY OF YORK.

York, . . . Abraham Prebble, Junr.
Kittery, . . . Mr. Nicholas Gowing.

NANTUCKET.

James Coffin, Esq.

¹ In the town records there is a slip of paper attached by the town clerk giving the name of W^m Manchester as deputy. He was sworn, as appears by his mark to the qualifying oaths, and his election is shown by the town records, but his name is not in the Secretary's list.

² From the town records, but he does not appear to have taken or subscribed the qualifying oaths, nor is his name in the Secretary's list.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON
ON THE TWENTY FIFTH DAY OF MAY, A.D. 1709.

CHAPTER 1.

ORDER FOR EXCHANGING OLD BILLS FOR M^R SAM^{LL} PHIPS.

Ordered that the Treasurer be directed to receive of Cpt: Samuel Phipps Six Ten Shilling Bills of Credit on the late Colony of the Massachusetts Bay, Which have been Endorsed & pass'd out by the said Treasurer, And give him the like Value in Bills of Credit on this Province. [*Passed May 27.*]

Legislative
Records of the
Council, viii.,
431.

Post, chap. 4.

CHAPTER 2.

RESOLVE FOR AN ADDRESS TO THE QUEEN RESPECTING THE EXPEDITION INTENDED AGAINST CANADA.

HER MAJESTY having been Graciously pleased to project and Order an Expedition to be fitted out with Shipping and Land Forces from Her Ma^{ty}s Kingdom of Great Britain for the Security of Her Subjects in these Northern Plantations in America from the Neighbourhood of the French at Canada; which hath been very troublesom to them of late year's. — And by Her Royal Letters to the respective Governments of the several Provinces and Colonies, Commanded them to be Assistant to the said Expedition in such manner as Her Ma^{ty} has been pleased to Direct. And for their Encouragem^t hath of Her Royal Bounty Ordered that the Troops to be rayed for the said Expedition within the said Provinces and Colonies be fitted out with armes & ammunition and other Warlike provisions of Her Ma^{ty}s Gift; And to be in readiness with Transports for their Embarcation by the middle of this instant May, upon the arrival of the Fleet from England.

Legislative
Records of the
Council, viii.,
433. Mass.
Archives,
cviii., 67.

Mass.
Archives,
ii., 176; lxiii.,
111; lxxi., 500.
Legislative
Records of the
Council, viii.,
430, 431, 432 *bis*.
Executive
Records of the
Council, v., 41,
46, 48, 52, 53, 54,
55, 56 *bis*, 57 *ter*,
58, 59 *bis*, 60
bis, 61 *bis*, 62,
64.

Her Ma^{ty}s Commands aforesaid arriving in the Vacancy of the General Assembly, and the time for preparation being so short; It was Impracticable for his Excell^{cy} to have their Advice therein, before this present Session, but in the Interim had Ordered the Detaching of nine Hundred Effective men to stand ready in their respective County's, at a minutes warning for Her Ma^{ty}s Service, as is intimated in His Excell^{cy}s Speech

Resolved, That this Court will humbly Address Her Majesty with their Thankful Acknowledgments of so extraordinary a Favour, In Her Ma^{ty}s pious care for, and princely Regard to the Security and prosperity of Her Subjects in these Her Foreign Plantations.

Resolved and Consented That when the Shipping and Land Forces from Great Britain shall arrive, the aforementioned Quota of nine

hundred men besides Commission-Officers — be Embarked on our own Transports to Serve as auxiliary Troops, in the aforesaid Expedition to Canada.

In firme Confidence That the Encouragement proposed and assurance Given in Her Ma^{ty's} Name, by the Hon^{ble} Colonel Nicholson and Col^o Vetch in their Proclamation set forth the ninth of May currant are agreeable to Her Ma^{ty's} Instructions, and will be Observed accordingly; Especially, That the Troops rays'd within this Province to Serve in the said Expedition shall be under the next immediate Command of their own proper Officers during the same; And so soon as the Expedition is over shall all return to their respective homes; over and above the benefit of the other Encouragements offered in the said Proclamation.

Resolved That a Sufficient number of Ships and Vessells for Transports and Hospitals to Serve in the said Expedition be forthwith Equip'd, and made ready. And that Chaplains Physicians Chyrurgions and Pilots be forthwith procured and provided for the said Expedition:

Resolved That four or five months provisions at the accustomed allowance for the Subsisting of the said Troops, and such number of Saylor as are necessary for the Transports and Hospitals; with a Suitable Supply of Cloathing for the Troops and Sailors, Medicines and necessaries for the Sick and wounded be forthwith provided and made ready. [*Passed May 30.*]

CHAPTER 3.

RESOLVE FOR ALLOWING 8^o/ PER DAY FOR BILLETING SOLDIERS, &c.

Legislative
Records of the
Council, viii.,
434. Mass.
Archives,
lxxi., 515.

Post, chap. 170.

UPON CONSIDERATION of the Dearness of Provisions at this Season, And that it is hoped to be but a short Time, & the Necessity of the Soldiers for the present Expedition being quarter'd near together, & accomodated with convenient Lodging for the Preserving of their Health;

Resolved That for this extraordinary Occasion, & on the aforementioned Considerations, There be Allowed, eight pence a day ~~per~~ man for billet, during their Lodging in the Towns, from the time of their General muster, and being drawn out of their Countys.

And That, *pro hac vice*, they be Quartered on private families, at the Direction of the Select men, not exceeding Two, to a Family (without y^e Consent, of the master, or mistrisse of Such family) as well as in publick licensd Houses, any law or usage to the contrary notwithstanding. [*Passed May 30.*]

CHAPTER 4.

ORDER ALLOWING EBEN^r LOWLE TO EXCH^a TWO COLONY BILLS OF CREDIT.

Legislative
Records of the
Council, viii.,
436.

Ante, chap. 1.

Ordered that the Treasurer be directed to receive of Ebenezer Lowle a Twenty & Two Shilling Bill of Credit on the late Colony of the Massachusetts Bay (W^{ch} are annex'd) & deliver to him the same Sum in y^e Bills of Credit on this Province. [*Passed June 1.*]

CHAPTER 5.

ORDER APPOINTING A COMM^{TEE} TO SET OUT THE BOUNDS OF TISBURY AND OF INDIAN LANDS WITHIN THE TOWN. [*Passed June 1.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, viii.,
436. Mass.
Archives,
xxxI., 54.
Post, chap. 115.

CHAPTER 6.

ORDER, ON NATH^{LL} HOBART'S PETITION, SUSPENDING EXECUTIONS OF JUDGMENT IN SUIT BETWEEN HIM & EBENEZER PROUT.

THE PETITIONER¹ Praying that there may be a Suspension of the Levying of an Execution upon a Judgement given against him at the Suit of Ebenezer Prout under Consideration of this Court to Direct to a Relief in Equity, Also an Execution upon a Judgement for him against the said Ebenezer Prout, Until his Case be heard & determined in Equity by this Court;

Ordered That the Praier of this Petition, be Granted So far as that, the Levying of both the abovementioned Executions, be Suspended, untill the end of the present Session that both Parties may freely attend the Hearing, Granted them by this Court, & their Determination thereon. [*Passed June 1.*]

Legislative
Records of the
Council, viii.,
436. Mass.
Archives, cv.,
56.
Post, chap. 9.
Mass.
Archives, xl,
927.

CHAPTER 7.

VOTE FOR RESTORATION OF COLL: VETCH'S FINE &c. WARR^T FOR COLL: VETCH ISSUED 11TH OF JUNE 1709.

THE FOLLOWING MESSAGE in Writing from the Represent^{ves} Viz,

UPON a Motion from the Hon^{ble} Board referring to the Fine imposed by the Act of this Court in August 1706, on Samuel Vetch Esq^r & by him paid into the Treasury;

Her Majesty having been pleased by her Order in Council of September 24, 1707, to Disallow & Repeal the said Act, & to Order the Restoration of the said Fine upon Security first given to abide a new Trial;

Considering that the said Samuel Vetch Esq^r has been detain'd in Great Britain by her Majesties especial Command when he was about to come over & give Security & receive such new Trial, Which has pass'd on an other concern'd with him in the Matters alledged against him, who was thereon acquitted;

Considering also that her Majesty has since been graciously pleased to grant her Royal Commission to the said Coll: Vetch & Intrust him with a Superiour Command in the present Expedition to Canada &c, This House are of Advice That his Fine & Cost of that Prosecution paid into the Treasury be restored: —

In Council.

Read, and Advised and Consented That a Warrant be made out to the Treasurer accordingly to restore the money received of the said Col^o Vetch for his Fine and Cost of prosecution. [*Passed * June 2.*]

Legislative
Records of the
Council, viii.,
437. Mass.
Archives,
lxxi., 520.
Post, chap. 47.
Mass.
Archives,
cxxii., 343.
Province
Laws, vi., 62,
chap. 20.

¹ Nathaniel Hobart.

CHAPTER 8.

ORDER FOR AN ADDITIONAL ALLOW^{CE} FOR THE HIRE OF TRANSPORTS
FOR THE PRESENT EXPEDITION.

Legislative
Records of the
Council, viii.,
438. Mass.
Archives,
lxiii., 108.

Post, chap. 56.
Legislative
Records of the
Council, viii.,
431. Executive
Records of the
Council, v., 56.

IN CONSIDERATION That the Vessels to be improved as Transports in the Expedition now Forming against Canada will demand a considerable Charge extraordinary to fit them for that Service, And considering the Voyage is more hazzardous & will brobably damnify the Vessels much more than the ordinary Voyages of Transports, For which the present Establishment of Vessels hire is Calculated ;

Ordered That the s^d Transports, which are between fifty & one Hundred & Twenty Tuns, be paid after the Rate, of Six shillings, & six pence *p* Tun.

And Such Vessels whose Owners, will not Fit them for the service, but necessitate the Publick, to be at that charge, & Trouble, Shall be paid according to the ordinary Establishment, formerly made & not higher.

This Establishment, to be only for the present Expedition, & not to be drawn into Precedent for the future. [*Passed June 2.*]

CHAPTER 9.

ORDER ON THE AFFAIR OF NATH^{LL} HOBART & EBENEZER PROUT.

Legislative
Records of the
Council, viii.,
439. Mass.
Archives, xl.,
931.

Ante, chap. 6.
Mass.
Archives, xl.,
929, 930.

UPON A HEARING had this Day between Nathaniel Hobart of Hingham, & Ebenezer Prout, by a Petition prefer'd to this Court by the s^d Hobart;

Ordered That the Pet^r be referr'd to the next Superiour Court of Judicature, to be held for the County of Suffolk; And that the Justices of the s^d Court Examine into y^e Judgements given in Law within y^e said Court against Each party respectively on y^e Forfeiture of Bonds and Chancer the said Forfeitures to the just Debt and Damages in Equity and good conscience. And yt y^e Levying of Execution on the Judgem^{ts} on either side & all other Proceedings in the law, referring to y^e s^d Judgments, be suspended until y^e End of y^e said Superiour Court. [*Passed June 3.*]

CHAPTER 10.

ORDER ABOUT THE BRIDGE ON JONES'S RIVER.

In Council.

IN THE CASE of the Bridge over Jones River at Plymouth.

The Council are of Opinion That the new place where the Court of Quarter Sessions have determined to Set the Bridge in, is most accommodable and beneficial in General for the Towns of Plymouth and Barnstable County & will be Supported with much less charge than the former Bridge; And more convenient for Navigation. Therefore Confirm what the Sessions have done therein;

And the old Bridge and it's repair is left to the Consideration of this Court.

Agreed to by the Representatives. [*Passed June 4.*]

Legislative
Records of the
Council, viii.,
439. Mass.
Archives,
cxxi., 142.

Mass.
Archives,
cxlii., 499, 505,
506, 507, 508;
cxxi., 131, 132,
134, 136.

CHAPTER 11.

ORDER FOR PROVIDING COATS FOR Y^E SOLDIERS.

FOR THE ENCOURAGEMENT of the Non Commission Officers, & private Centinels that shall be Embark'd in the present Expedition, in the Pay of this Province;

Ordered That a Coat not exceeding twenty Shillings in value be given to each of them, to be paid for out of the publick Treasury.

And That M^r James Barnes, M^r Nathaniel Blagrove, & Maj^r Samuel Thaxter, be a Comitte to Take care for the Providing them, at the best rate, and as expeditiously as may be, provided That his Excell^{ty} Direct the Colour. [*Passed June 4.*]

Legislative
Records of the
Council, viii.,
439. Mass.
Archives,
LXXI., 521.

CHAPTER 12.

RESOLVE ALLOWING £4^{..}6^{..}—, TO BE P^d TO FRANCIS HOLMES.

AN ACCOMPT of a publick Dinner by Francis Holmes Inn Holder for thirty two of the Councillours & Represent^{ves} on the eleventh of May Instant, & Overplus Wine, Amounting in the Whole to Four Pounds six Shillings, Sent up from the Represent^{ves} with the Resolve pass'd by that House thereon; Read & Concur'd; Viz,

Resolved that the Sum of Four Pounds six Shillings be allow'd & paid out of the publick Treasury to the said Francis Holmes in Discharge of the Accompt above written. [*Passed June 4.*]

Legislative
Records of the
Council, viii.,
440.

CHAPTER 13.

VOTE ACCEPTING AND APPROVING THE TREAS^{RS} ACCT^S.

THE FOLLOWING VOTE pass'd in y^e House of Represent^{ves} Was Read & Concur'd; Viz,

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver-General of this Province, Beginning the twenty sixth Day of May 1708, & Continued unto the twenty fifth Day of May 1709, Amounting unto the Sum of Fifty five Thousand five Hundred forty four Pounds one Shilling & five Pence, Having been presented, & laid before the House of Represent^{ves} and Inspected by the said House, By which it Appears there was standing out on the said twenty fifth of May, Of the several Assessments, Ten Thousand thirty three Pounds eight Shillings & two Pence, And in the Hands of the Commissioner for Impost, Five Hundred & forty Pounds to be drawn into the Treasury, And Eight Thousand six Hundred and ninety seven Pounds six Shillings & seven Pence, Province Bills of Credit Including the Five per Cent: as they were received by the Treasurer, to be further accounted for;

Voted that the said Accompts in the several Articles of Receipts & Payments therein mention'd, Amounting unto Thirty six Thousand Two Hundred seventy three Pounds six Shillings & eight Pence, be & hereby are Approved & Allowed of, And the said Treasurer is hereby discharged of the said Sum of Thirty six Thousand two Hundred seventy three Pounds six Shillings & eight Pence. [*Passed June 8.*]

Legislative
Records of the
Council, viii.,
441.

Legislative
Records of the
Council, viii.,
441. Mass.
Archives,
cxlii., 519.

Post, chap. 72.
Mass.
Archives, xi.,
297–300;
cxlii., 509, 513–
515, 518.
Legislative
Records of the
Council, vii.,
82; viii., 440.

CHAPTER 14.

RESOLVE FOR TWO NEW PRECINCTS IN TAUNTON, & A COM^{TEE} TO
SETT THEM OFF &c. [*Passed June 8.*]

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

CHAPTER 15.

ORDER FOR A LARGE STORE SHIP FOR THE EXPEDITION.

Legislative
Records of the
Council, viii.,
442. Mass.
Archives,
lxi., 109.

Ordered That a Ship of greater Force, & Bulk than the ordinary
Transports, be Taken up for a storeship, in the present Expedition,
& that She be Allowed eight Shillings p^r Tun, p^r month. (in case she
carries fourteen great Guns, or more, well mounted, & fitted). [*Passed
June 8.*]

CHAPTER 16.

RESOLVE ALLOWING £.66, REWARD TO CPT: WRIGHT & COMP^A FOR
INDIANS SLAIN.

Legislative
Records of the
Council, viii.,
443. Mass.
Archives,
xxx., 56.

Mass.
Archives,
xxx., 55.

WHEREAS Cpt: Benjamin Wright & Company have lately made a
March to Canada against the Indian Enemy, & have had the good Suc-
cess to Kill (as they suppose) seven or eight of the said Enemy, One
of whose Scalps they recovered & brought in;

Resolved That the Sum of Twelve Pounds, be Allowed & Paid, out
of the Publick Treasury, to the S^d Captain, & Six Pounds apiece, to
each of the nine men, that were with him, in the s^d Service, or those
that legally Represent them, over & above their ordinary Wages; In
full Consideration, of their good Service afores^d. [*Passed June 10.*]

CHAPTER 17.

ORDER FOR RED INK SCROWLS THROUGH THE BILLS OF CREDIT.

Legislative
Records of the
Council, viii.,
444. Mass.
Archives, ci.,
360.

Post, chap. 39.

Ordered That the Thirty Thousand Pounds in Bills of Credit Directed
by this Court to be Imprinted, be made with the whole Scrowle of red
Inke through the body of the Bills; the better to prevent Counterfeits.
[*Passed June 10.*]

CHAPTER 18.

RESOLVE FOR A PRESENT TO Y^E GEN^{LL} OF Y^E FORCES DESIGN'D FOR
CANADA.

Legislative
Records of the
Council, viii.,
444. Mass.
Archives,
lxxi., 525.

Resolved, y^t y^e Gen^{ll} of y^e Forces designed against Cannada when he
shall arrine here from Great Brittain: Be presented for his Table with
one pipe of wine Forty sheep. Ten shoats, & Two Hundred Fowles.
[*Passed June 11.*]

CHAPTER 19.

VOTE ALLOWING £4, TO THE WIDOW OF GEORGE STONE.

Voted that the Sum of Four Pounds be allowed & paid out of the publick Treasury to the Widow of George Stone, her Husband being slain in her Majesties Service, and lost his Cloaths and Arms. [*Passed June 11.*]

Legislative
Records of the
Council, viii.,
444.

Mass.
Archives,
lxxi., 516, 517.

CHAPTER 20.

RESOLVE ALLOWING MARLBORÔ GALLEY 10/ 4^p MONTH PER TUN.

Resolved, to allow y^e Mallburrough Galley for y^e present Expedition to Cannada: Equipt with twenty Guns for y^e defence of our stores & c y^e sum of ten shillings 4^p Tunn 4^p Moneth. [*Passed June 11.*]

Legislative
Records of the
Council, viii.,
444. Mass.
Archives,
lxiii., 110.

CHAPTER 21.

RESOLVE ON DORCAS PEGGY'S PETITION IN REGARD TO THE SALE OF LAND.

UPON READING a Petition of Dorcas Pegge Relict Widow & Executrix of the last Will & Testament of Edward Pegge late of Boston Merch^t Dec^d Praying the Sence of this Court thereon and to Enable her to make Sale of the House & Land for the Performance of the Will & her own necessary & comfortable Support.

Legislative
Records of the
Council, viii.,
432. Mass.
Archives,
xvii., 228.

On Consideration of the Will. — The whole Estate both Reall and personal being devised to the wife, who is also appointed sole Executrix and charged with the burden of paying all just and Lawful Debts, and Legacies according to the form & Effect of the Will; plainly intimates the Intent and meaning of the Testator to give the Fee to his Wife, and so She has a right to dispose of the Estate for her own comfortable maintenance and Support; And having actually paid the Debts and Legacies to the value of Four hundred pounds and Upwards, in part with her own proper mōney, She has a right as a purchaser.

The Residue is only contingent, upon Supposition any part thereof be left at the Wifes death, that shall be spared over and above her comfortable Support; There is no express Devise of the remainder of the Reall Estate. One of the residuary Legataries is dead, and the other hath actually received a Legacy of One Hundred pounds.

Resolved That the Wife the Petitioner, has a right to dispose of the whole, if need be, for her Support and Maintenance, and performance of the Will, the Overplus at her death accruing to the Surviving residuary Legatary, And the Pet^r is Directed at present to dispose only of the Land divided from the Messuage by a new Highway laid thrō. the same by the Town; The Dwelling House and the remaining Land thereto belonging to be reserved, in case it can be spared. [*Passed June 14.*]

CHAPTER 22.

ORDER IMPOWERING JOSEPH PARKER TO SELL LANDS OF Y^E ESTATE OF RICHARD BLOOD DEC^d.

Legislative
Records of the
Council, viii.,
437. Mass.
Archives, cv.,
54, 55.

[UPON READING] A Petition of Joseph Parker of Groton, Praying to be Impowered to make Sale of the Land of his Father in Law Richard Blood late of the same Place Dec^d to make him some Recompence for his great Charge & Trouble to maintain Isabel Reliet Widow of the said Blood, now of about a Hundred Years old, presented at the Session of this Court in May 1706, & Revived in May Court 1708, And then refer'd to the Justices of the Superiour Court to Cause all Persons concern'd to appear before them, And to Examine into the Matter of the said Petition, & Report thereon; [and]

The Report of the Justices being now Read; Viz, That they are of Opinion the Petition is reasonable & ought to be granted;

Ordered That the Prayer of the Pet^{con} be Granted. Viz^t That y^e Pet^r be and is Impowred to make Sale of y^e Land therein mentioned and to Execute a good sufficient and Legal Deed of Sale for y^e same for the End Inserted. in the Petition. [*Passed June 14.*]

CHAPTER 23.

RESOLVE CONCERNING JOHN HURD'S PETITION FOR CONFIRMATION OF LAND GIVEN TO HIM BY AN INDIAN.

Legislative
Records of the
Council, viii.,
440. Mass.
Archives, xlv.,
356.

IN ANSWER to the Petition of John Hurd of Harwich, Praying a confirmation of his Title to a Parcel of Land, Containing Twenty Acres Ten of Upland, Ten of Salt Marsh, lying at a certain Place called Setucket, within the Township of Eastham, given him & Deborah his present Wife by Deed from Aaron Feazy an Indian Native Proprietor in the Year 1686:—

Mass.
Archives, xlv.,
352, 354-355½.

Resolved That the Pet^r and his s^d wife hold the said Twenty acres of Land to them their heires and assignes for ever; Unless the Original Purchasers of that Township to whome the General Court of Plymouth Granted License to purchase of the Indian Native proprietors, or their Descendants, shall pay to the said John Hurd and his wife such Sum of money in Lieu thereof as the said Land shall be valued at by the Judgement of John Thacher and J otis¹ Esq^{rs}—within the space of one year next after such Valuation made. [*Passed June 14.*]

CHAPTER 24.

ORDER FOR IMPOWERING ANN FISKE & ANNA SHEPHERD TO SELL Y^E HOUSE & LAND OF M^R MOSES FISKE DEC^d.

Legislative
Records of the
Council, viii.,
445. Mass.
Archives,
xvii., 232.

UPON READING the Petition of Ann Fiske, Daughter & Executrix of the last Will & Testament of Moses Fiske late of Brantrey Clerk Dec^d & of Anna Shepherd in Behalf of Shepherd & Margret Fiske Minors, Children of the said Moses Fiske, being also her Grand Children, Praying that they may be impowred, (The said two younger Childrens Minority notwithstanding,) to make Sale of the Housing & Lands of

Mass.
Archives,
xvii., 233.

¹ Written "Jotis."

the said Moses Fiske lying in Brantrey afore said, & by him devised in & by his last Will unto his three afore named Children, Viz, Ann, Shepherd & Margaret, to be equally divided between them, The Housing being very ruinous, And the Minors wanting Money to bring them up;

Ordered That the Prayer of the said Petition be Granted; And the s^d Petitioners are hereby Authorized and Impowred to make Sale of the said Housing and Lands accordingly, And to Seal and Execute good and sufficient Deeds in the Law for the passing and confirming of the Sale or Sales that shall be so made, Two thirds of the purchase consideration to be paid for the same, to be Secured for the Use of the said Two minors; And that Bond with Sureties be given accordingly to the Judge of Probate within the County of Suffolk, their parts to be Improved at Interest during their minority, the annual Income thereof to be Employed for and towards their Education. [*Passed June 14.*]

CHAPTER 25.

ORDER FOR VICTUALLING THE PROVINCE GALLEY.

Ordered That the Province Galley be victualled for the present Expedition, according to the ordinary Establishment, & as the Transports are victualled. [*Passed June 14.*]

Legislative
Records of the
Council, viii.,
446. Mass.
Archives,
ccxlv., 55.

Post, chap. 52.

CHAPTER 26.

RESOLVE FOR SETTING A PRICE ON PROVISIONS IMPRESS'D.

WHEREAS upon the Arrival of her Majesties Commands for the present Expedition to Canada; The Governour & Council finding it necessary to secure a Quantity of Provisions for the Subsistence of the Troops of this Province, & Sailors on Board the Transports to serve in the said Expedition, And to the Intent that the Government might not be imposed on by Raising the Prices, And having an excessive Demand made on them, by Means of that publick and beneficial Occasion, Which otherwise would not have been, Directed & Impowred Andrew Belcher Esq^r Commissary General to provide, & take up several Species of Provisions for that special Service, by Warrant of Impress, (If not otherwise to be obtained) To be paid for out of the publick Treasury, at the Currant Market Prices they were sold for the Day before the Notice of the said Expedition, Viz, Pork at Three Pounds per Barrel, or under, & Pease from Five Shillings to Five Shillings & six Pence per Bushell, Which said Species the said Commissary has accordingly in Part supplied him self with, by Purchase & Impress, & been constrained for some Pork to advance five Shillings more per Barrel;

Legislative
Records of the
Council, viii.,
446. Mass.
Archives,
lxxi., 527.

Resolved That for what Porke and Pease he already has, or shall be necessitated to Impress for Her Ma^{ty}s said Service, to make up four hundred and fifty barrels of Porke in the whole, He do not exceed the price of Three pounds five Shillings for Porke p barrel; And if any be taken out of Vessells, Laden for Exportation at the time of Laying the Embargo; (when it was Sold for Three pounds) he pay five Shillings p barrel more, over and above three pounds for the same, In consideration of the charge of Lading and unlading thereof.

Pease to be paid for only at the rates abovesaid. [*Passed June 14.*]

CHAPTER 27.

Legislative
Records of the
Council, viii.,
446. Mass.
Archives,
cxlii., 494.

Post, chap. 111.
Mass.
Archives,
cxlii., 490–493.
Maps and
Plans,
xxxiii., 8.

ORDER FOR A HEARING ON PETITION OF THE TOWN OF HATFIELD
RELATING TO THE BOUNDARY BETWEEN HATFIELD & HADLEY.
[*Passed June 14.*

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

CHAPTER 28.

ORDER ON THE PETITION OF SEV^{LL} INHABITANTS OF MARLBOROUGH
IN REGARD TO COW COMMONS.

Legislative
Records of the
Council, viii.,
442. Mass.
Archives,
cxlii., 521, 522.

Post, chap. 89.
Mass.
Archives,
cxlii., 525.

UPON READING a Petition of Moses Newton & others Inhabitants
& Proprietors of Marlborough, Complaining of the Towns Dividing
& Allotting out the Cow Common in the said Town, Contrary to their
Vote in their first Settlement, That it should ly in perpetual Common;
Ordered That the Pet^{rs} cause the Select men of Marlborough to be
Served with a Copy of this Pet^{con} And the Pet^{rs} and the Select men be
heard thereon upon the first Tuesday of Court at their next Session.
[*Passed June 15.*

CHAPTER 29.

ORDER ACCEPTING THE ACCOMPT OF THE DISBURSEM^{TS} IN BUILDING
THE POWDER HOUSE, AND ALLOWING £.20, TO THE COMMITTEE.

Legislative
Records of the
Council, viii.,
447.

Post, chap. 130.
Legislative
Records of the
Council, viii.,
435.

THE ACCOMPT of Elisha Hutchinson Esq^r &c, the Committee for
Building the Powder House, of the Disburse of £.600, put into their
Hands for that Use, Three Pounds nine Shillings & eight Pence thereof
not being expended, And the Order pass'd thereon in the House of Rep-
resent^{ves} Read & Concur'd; Viz,

Ordered that the Accompt be Accepted, And that the Thanks of this
Court be given to the Committee above named for their good Service,
And Twenty Pounds be allowed them out of the publick Treasury over
& above the Sum of Three Pounds nine Shillings & eight Pence remain-
ing in their Hands. [*Passed June 15.*

CHAPTER 30.

RESOLVE ALLOWING £.32¹¹ 13¹¹ 8, TO WAIT WINTHROP AND JOHN LEV-
ERET ESQ^{RS} IN DISCHARGE OF ACC^T OF COMMISS^{RS} TO YORK.

Legislative
Records of the
Council, viii.,
447.

Post, chap. 71.
Executive
Records of the
Council, v.,
61.

AN ACCOMPT presented of the Expences of Wait Winthrop & John
Leveret Esq^{rs} in their late Journey to New York in the Service of this
Province, Sign'd by the said M^r Leverett, Amounting to One Hundred
thirty two Pounds thirteen Shillings & eight Pence; Whereof they re-
ceived One Hundred Pounds of M^r Treasurer at their Going out, And
the Resolve pass'd thereon in the House of Representatives; Read &
Concur'd; Viz,

Resolved that the Sum of Thirty two Pounds thirteen Shillings & eight Pence be allowed & paid out of the publick Treasury to the Hon^{ble} John Leveret Esq^r for the Discharge of the above Accompt. [*Passed June 15.*]

CHAPTER 31.

ORDER FOR A COMMITTEE FOR PROVIDING PHYSICIANS & SURGEONS &c FOR THE FORCES.

In the House of Representatives

Ordered That M^r Speaker, Capt: Fitch, M^r Barnes, M^r Denison, & M^r Blagrove, be a Committee, to Joine with Such as the Hon^{ble} Board, Shall Appoint, to Provide Physicians, & Chyrurgions, to be Employed, in the present Expedition & to Agree with them for their Reward, & in Supplying what shall be thought needfull, for medicines & chirurgery. [*Passed June 15.*]

Legislative
Records of the
Council, viii.,
447. Mass.
Archives,
lxxi., 529.

Post, chap. 138.

In Council.

Read and concurr'd, and Peter Sergeant, E^m Hutchinson and Edward Bromfield Esq^{rs} named of the Committee abovesaid; And to sit from this time de Die in Diem. [*Passed June 15.*]

CHAPTER 32.

RESOLVE ALLOWING £.15, TO SETH POPE ESQ^R.

Resolved That the Sum of Fifteen Pounds, be Allowed, & Paid out of the Publick Treasury, to Seth Pope Esq^r towards the finishing of the Meeting-House, lately Erected, in the Town of Dartmouth. [*Passed June 15.*]

Legislative
Records of the
Council, viii.,
448. Mass.
Archives, xi.,
293.

CHAPTER 33.

ORDER ACCEPTING THE COMMITTEES REPORT ON THE COMMISSARY GENERALS ACCOMPTS.

Boston June 15: 1709.

PURSUANT to the Order of the House appointing us a Committee, to Examine, & Audit, the Accompts of Andrew Belcher Esq^r Commissary Generall:

We Attended the Said Service, & Examined his Accompts, from March 30th 1706, to Janu^{ry} 23th 170⁶/₇ (his accompts before that time having been Pass'd by this Court) and find them right Cast, and well Avouch'd. And upon the 23th of Janu^{ry} 170⁶/₇, there was due from the Province to the S^d Commissary Generall to Ballance his Accompt the Sum of One Thousand Eight Hundred, fifty Six Pounds, Six Shillings, & eleven pence, halfe peny, as was Reported, by the Committee, appointed by the Hon^{ble} Board to Examin the Same. The House requiring our Attendance has Prévented our further Proceeding, at this time.

Legislative
Records of the
Council, viii.,
448. Mass.
Archives,
lxxi., 528.

Post, chap. 142.

JOS: WOLCOT.

JAMES BARNES

THO: FITCH

JOHN BROWNE

} Committee

Ordered That the above-Report, be Accepted. [*Passed June 15.*]

CHAPTER 34.

Legislative
Records of the
Council, viii.,
448. Mass.
Archives,
cxiii., 496.

ORDER GRANTING THE PETITION OF INHABTS OF SPRINGFIELD IN REGARD TO LANDS FOR A NEW PLANTATION. [*Passed June 15.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 35.

Legislative
Records of the
Council, viii.,
449. Mass.
Archives,
cxiii., 489.

VOTE ACCEPTING THE REPORT OF THE COMMTEE FOR DIVIDING ANDOVER INTO TWO PRECINCTS. [*Passed June 15.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Post, chap. 102.
Legislative
Records of the
Council, viii.,
431, 448.

CHAPTER 36.

RESOLVE FOR ALLOWING HUGH PIKE £.10.

Legislative
Records of the
Council, viii.,
449. Mass.
Archives,
lxxi., 530.

A PETITION of Hugh Pike of Newbury wounded in her Majesties Service Anno 1707, And: still incapable of Labour, Praying some Relief, with a Resolve pass'd thereon in the House of Representatives, Read and Concur'd; Viz,

Resolved That the Sum of Ten Pounds be Allowed, & paid out of the publick Treasury to Hugh Pike the Petitioner, for the year currant. [*Passed June 16.*]

Post, chap. 139.

CHAPTER 37.

RESOLVE ALLOWING £.10, TO CPT: HUMPHREY HOOK.

Legislative
Records of the
Council, viii.,
450. Mass.
Archives,
lxxi., 508.

A PETITION of Cpt: Humphrey Hook late Commander of Saco Fort, Praying an Allowance for Wages short paid him, Charges of Sickness, Posts, Medicines & Necessaries with Directions had of Doctor Bradstreet, for the Sick & wounded in the Garrison, with a Resolve pass'd thereon in the House of Representatives, Was Read & Concur'd; Viz,

Resolved That the Sum of Ten Pounds be Allowed, & Paid, out of the Publick Treasury to Humphry Hook the Petitioner, in full for all Dues, & Services express'd in his Petition,

That Doct^r Broadstreet, be Directed, to Lay before this Court, his acc^o of medicines sent to s^d Hook at Saco Fort, for the publick service.

And that s^d Hook be fully Discharged therefrom. [*Passed June 16.*]

Post, chap. 97.
Mass.
Archives,
lxxi., 509, 510.

CHAPTER 38.

RESOLVE ALLOWING £.20, 16, TO BENJ^A ELLIOT.

AN ACCOMPT of Benjamin Elliot Book Seller from Novem^r 1707, to February past for the printed Laws for the Use of the Towns, Election Sermons, Paper & a Book for the Records of the General Assembly, All Amounting to Twenty two Pounds six Shillings, Whereof Thirty Shillings received, Rests Twenty Pounds sixteen Shillings for Balance, With a Resolve pass'd thereon in the House of Representatives, Was Read & Concur'd; viz,

Resolved That the Sum of Twenty Pounds, & Sixteen shillings be Allowed & Paid out of the Publick Treasury, to y^e s^d Benjamin Eliot, being the Ballance of his Acc^o abovewritten. [*Passed June 16.*]

Legislative
Records of the
Council, viii.,
450. Mass.
Archives,
lviii., 268, 269.
Post, chap. 59.

CHAPTER 39.

ORDER FOR PRINTING THE ACT AGST COUNTERFEITING BILLS.

Ordered That four Hundred Copies, of the two first, & the last Paragraph, of the Act Intit^d an Act, against Counterfeiting the Bills, of Credit, on this Province, be forthwith Imprinted, & Sent, to the Select men, in the Severall Towns, of the Province, where they shall be Posted up, at least in two, of the most publick Places, in each Town.

And if any Person, shall be Convicted, of Pulling down or Defacing, any Such copy, So posted up, he shall forfeit, & Pay, the Sum of forty shillings. one Moiety thereof, for the use of the Informer, the other Moiety, for the Poor, of the Town where It is posted up. [*Passed June 17.*]

Legislative
Records of the
Council, viii.,
450. Mass.
Archives, ci.,
357.
Ante, chap. 17.

CHAPTER 40.

ORDER ADDING M^R ANDREW BOARDMAN TO THE COMM^{TEE} FOR REPAIRING Y^E PRESIDENTS HOUSE.

Ordered That M^r Andrew Bordman of Cambridge, be Added, to the Com^{ittee}, Appointed by this Court, the 5th of Nov^r last, to Take care for the Repair of the House built at Cambridge, for the use of the President, of Harvard Colledge. [*Passed June 17.*]

Legislative
Records of the
Council, viii.,
451. Mass.
Archives,
lviii., 270.
Post, chap. 66.

CHAPTER 41.

ORDER FOR THE ESTABLISHM^T OF Y^E WAGES OF FIELD OFFICERS.

Ordered That the Wages, of the following Officers, in the Expedition, now designed, to Canada, be as follow's viz^t

To 2, Colonels, each	£ ³ 15	} P^{r} week
To 2, Lt Colonels, each	" ³ 10	
To 2, Majors, each	" ² 10	

Legislative
Records of the
Council, viii.,
451. Mass.
Archives,
lxxi., 531.

[*Passed June 17.*]

CHAPTER 42.

ORDER FOR SUPPLYING TIVERTON WITH PREACHERS.

Legislative
Records of the
Council, viii.,
451. Mass.
Archives, xi.,
293.

Post, chap. 126.

Ordered That the neighbouring ministers, be Desired, to Preach in their Turns, at Tiverton, untill the last of October next, or to procure the most Suitable Person, they can for the circumstances of that People. And That twenty shillings *per* week be Allowed, out of the publick Treasury for that service. [*Passed June 17.*¹

CHAPTER 43.

ORDER ON THO: JOHNSONS PETITION FOR RELIEF BECAUSE OF PROPERTY BURNT BY THE ENEMY.

Legislative
Records of the
Council, viii.,
451. Mass.
Archives, xvi.,
220.

Mass.
Archives,
xvii., 221.

UPON READING a Petition of Thomas Johnson of Haverhill, Setting forth That his Grand Father John Johnson having by Deed & also by his Will settled the prime Part of his Estate upon the Petitioner, In the descent made by the Enemy upon Haverhill in the Year past, His said Grand Fathers House was burnt by the Enemy, & him self therein, and the afore said Writings, Praying Relief to be afforded him :

Ordered That the within Petition be referred to the Justices of the Inferiour Court of Pleas within the County of Essex

And that they be Impowred to send for all party's concern'd & others that may be able to give them Information; And to Examin into the matters Set forth in the said Petition And to make their Report thereon to this Court at their next Session. [*Passed June 18.*

CHAPTER 44.

RESOLVE FOR MAKING £.30000, IN BILLS OF CREDIT, £.25000, TO BE EMITTED.²

Legislative
Records of the
Council, viii.,
452. Mass.
Archives, ci.,
358.

Post, chap. 61.
Mass.
Archives, ci.,
355. Legisla-
tive Records of
the Council,
viii., 443.
Sewall's
Diary, ii., 257.

Resolved That the Sum of Thirty Thousand Pounds, of Bills of publick Credit, on this Province, be further & forthwith Imprinted, One Thousand Pounds thereof to be Imprinted, on the Small Plate, fourteen Thousand Pounds thereof on the Middle Plate, & Fifteen Thousand Pounds on the large Plate.

That Elisha Hutchinson, Samuel Sewall, Pen: Townsend & John Clark Esq^{rs} & Col: Samuel Checkley or any three of them be a Committee, for the making of the s^d Bills, who shall be under oath, for the faithfull management of the s^d affair.

And the Printer, of the s^d Bills, shall be sworn, to a faithfull Performance, of that Service.

That the s^d Committee deliver, the sum of fifteen Thousand Pounds, to the Treasurer, taking his Receipt for the same, & keep the remaining Fifteen Thousand Pounds, in their hands unsigned, untill further

¹ The following is appended as a note to the foregoing order: "June 18. 1709. The Consideration of past service Referr'd to next session."

² Printed in the notes to the Acts for the year 1709–10, Province Laws, i., 645; reprinted here, as important. This resolve was substituted for another resolve which had passed both houses, on June 9.

order from this Court, who shall be Paid for, Indenting, Numbering, signing Trimming & Perfecting, the s^d Bills to the Treasurer one Hundred & fifty Pounds, & no more.

And the Treasurer is hereby Directed, & Impowered to Issue forth & Emit, the s^d sum of fifteen Thousand Pounds together with the sum, of Ten Thousand Pounds more, of the Bills, of publick credit, that are or shall be received, into the Treasury, towards payment of the publick Debts, of the Province, already contracted, & the further growing charge for the defence thereof, for supplying & subsisting of the Province Galley, Forts, Garrisons, & Forces, raised, & to be raised, & Implied, within the Same, & wages arising for their Service, Towards Defreying the charge of the present Expedition, to Canada (belonging to this Province) for Payment, of Grants Salaries, & Allowances, made & to be made, by this Court, according to Such Draughts, as from time, to time, shall be made upon him by warrant, or order of the Governor, by & with the Advice, & Consent of the Council, & the s^d Bills, shall Passe out of y^e Treasury at the value, therein expressed, equivalent, to money, & shall be Taken, & accepted, in all publick payments, at the Advance; & after the rate, of five pounds per centum more.

And That the Duties, of Impost, & Excise, shall be a Fund, & Security, for the Repayment, & Drawing in of the s^d Bills, to the Treasury, again, So far as that will reach.

And as a further Fund, & security, for the same, for the Paying of Souldiers, Wages, & for Defreying of the further necessary growing charge, of the Province, the Defence of Her Majesty's Subjects, & Interests within the Same, & Support of the Government thereof, There be & hereby is Granted, unto Her most Excellent Majesty to the ends, & Uses afores^d a Tax of Twenty five Thousand Pounds, Four Thousand Pounds, thereof, to be levied, on Polls, & Estates, both real & personal within this Province, according to Such Rules, & in Such proportion upon the severall Towns, & Districts, within the Same, as shall be Agreed on, & ordered by the great & generall Court, or Assembly of this Province, at their session in May 1711, & Eighteen Thousand Pounds thereof, at their Session, in May 1712, & Three Thousand Pounds thereof in May 1713.

And Four Thousand Pounds thereof shall be paid in to the Treasurer, on or before the last day of May 1712, Eleven Thousand Pounds thereof on or before the last day of Novem^r 1712, & Ten Thousand Pounds thereof on or before the last day of May 1713. [*Passed June 18.*]

CHAPTER 45.

RESOLVE ALLOWING £.250, TO HIS EXCY. THE GOV^R.

Resolved That the Sum of Two Hundred and Fifty Pounds be Allowed, & Paid out of the Publick Treasury, to his Excellency JOSEPH DUDLEY Esq^r Captⁿ Generall, & Governour, in chief of this Her Majesty's Province, for his Support, in managing the Affaires of the Government. [*Passed June 18.*]

Legislative
Records of the
Council, viii.,
453. Mass.
Archives,
cccl., 72.

Post, chap. 141.

CHAPTER 46.

RESOLVE ALLOWING £.225, TO M^R TREAS^R TAYLOUR.

Legislative
Records of the
Council, viii.,
453. Mass.
Archives,
ccci., 73.

Resolved That the Sum of Two Hundred, and Twenty five Pounds, be Allowed, & Paid out of the Publick Treasury; to M^r James Taylor, Treasurer of this Province for his Service, in the s^d office, the year past. [*Passed June 18.*]

CHAPTER 47.

RESOLVE FOR PRESENTING £.60, TO COLL SAM^{LL} VETCH, FOR HIS TABLE.

Legislative
Records of the
Council, viii.,
453. Mass.
Archives,
lxxi., 533.

Ante, chap. 7.

THIS HOUSE being sensible that the present Expedition, Which has so hopeful a Prospect of great Benefit and Advantage to this Province has been very much forwarded by the Hon^{ble} Coll: Sam^{ll} Vetch;

Resolved That the Sum of Sixty Pounds be Presented to him out of the publick Treasury, towards furnishing his Table, in the s^d Expedition, as a thankful Acknowledgment, of that his extraordinary Service.

In Council

Read and Concurr'd. [*Passed June 18.*]

CHAPTER 48.

RESOLVE ALLOWING £.40, EACH TO THE JUDGES OF THE SUP^R COURT.

Legislative
Records of the
Council, viii.,
454. Mass.
Archives,
ccci., 72.

Resolved That there be Allowed & paid out of the Publick Treasury, to the Hon^{ble} Wait Winthrop, Samuel Sewall, John Hathorn, Jonathan Corwin, & John Walley Esq^{rs} to each of them the Sum of Forty Pounds for their Service as Judges of the Superior Court of Judicature, the year currant, ending the 10th of July next. [*Passed June 18.*]

CHAPTER 49.

RESOLVE ALLOWING £.15, TO M^R JN^O WHITE.

Legislative
Records of the
Council, viii.,
454. Mass.
Archives,
ccci., 71.

Post, chap. 144.

Resolved That the Sum of Fifteen Pounds be Allowed, & Paid, out of the Publick Treasury to m^r John White Clerk, of this House, in part for his service the year currant. [*Passed June 18.*]

CHAPTER 50.

RESOLVE ALLOWING £.40, TO CPT: THO: STEEL.

Legislative
Records of the
Council, viii.,
454. Mass.
Archives,
lxxi., 532.

Post, chap. 55.
Executive
Records of the
Council, v., 58.

Resolved That the Sum of Forty Pounds be Allowed & Paid out of the publick Treasury to Capt: Thomas Steel in full for his Service, as Co^mmissary in the present Expedition, to Canada, upon his having performed the Duty of the s^d office. [*Passed June 18.*]

CHAPTER 51.

RESOLVE ALLOWING £.30, TO JAMES MAXWELL.

Resolved That the Sum of Thirty Pounds be Allowed, & Paid out of the Publick Treasury to M^r James Maxwell, Doorkeeper, to his Excellency the Governour, & this Court, for his Service, the year past ending the eighth day of this month. [*Passed June 18.*]

Legislative
Records of the
Council, viii.,
454. Mass.
Archives, ccci.,
73.

CHAPTER 52.

ORDER FOR VICTUALLING Y^E PROVINCE GALLEY.

Ordered That the Province Galley be Victualled, by the Com̄issary Generall, for the present Expedition. [*Passed June 18.*]

Legislative
Records of the
Council, viii.,
454. Mass.
Archives,
lxiii., 113.

Ante, chap. 25.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTEENTH DAY OF JULY, A.D. 1709.

CHAPTER 53.

RESOLVE FOR TAKING UP TWO VESSELS FOR A GUARD OF Y^E COAST
IN Y^E ABSENCE OF THE PROV: GALLEY; OFFICERS OF Y^E GUARD
VESSELS TO GIVE IN JOURNALS TO THE COURT.

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lxiii., 116.

Post, chap. 60.
Mass.
Archives,
cxviii., 69. Leg-
islative Rec-
ords of the
Council, viii.,
457.

IN ANSWER to that Paragraph in his Excellency's Speech relating to the Guard of the Coast, in the Absence of the Province Galley;

Resolved That Two of the most Suitable sloops or other vessels, that can be had, not exceeding ninety Tuns each, be Taken up, & Equipp'd, for War, & manned with Sixty, or Seventy men each, for the Guarding of this Coast, untill the winter is advanc'd.

And That they be Fitted, with a Sufficient number of great Guns, good Firelocks, Pistols, & Backswords, or Pole axes, & all other Stores proper, & necessary, for Such vessels.

And be It further *Resolved* That the Commanding Officer of every vessel of War, that Shall be hereafter Imploied for the Guard of this Coast, being in the Pay of this Province Shall be, & is hereby Obliged, to Lay before this Court a Journall, of all their Proceedings, how long, & where they Cruis'd. & how long they were, in Port, & a List of all the men's names, they have had, under their Comānd, & to what Towns, they belong'd when Impress'd, & when Dismiss'd: At their Session in May, & Octo^r annually, upon the Penalty, of paying the Sum of Fifty Pounds Fine, for every neglect, to be Employed, for & towards the Support of the Government. unlessse They are inevitably prevented by their being abroad, in the time of the session, & in Such case, at their next coming into this Port, Such Journall & List, Shall be Lodg'd, in the Secretary's office, to be laid before this Court, at their next Session. [*Passed July 14.*¹

CHAPTER 54.

RESOLVE FOR ENGRAVING ON COPPER PLATES A CHART OF CANADA
RIVER.

Legislative
Records of the
Council, viii.,
458. Mass.
Archives,
lxviii., 271.

UPON A REVIEW and Examina^{con} of the several Plans and Charts of the Lying of Canada River, by a Committee of the Board, with the persons named for Pilots and Mariners that have Sayled up that

¹ This chapter and chapter 60 are given in the secretary's record as if one continuous piece of legislation, with the consent of the governor noted at the end of the whole. The archives show that the two were distinct things, acted upon on different days. The governor's consent does not appear in the archives, but that his consent, as noted by the secretary, was given to both parts is indicated by the secretary's record, in the second part of which (chapter 60) he has interpolated the word "said" before the words "two vessels."

River; And there being one of those used in the former Expedition, Lying in the Treasurers hand; which upon Examina^{con} and. comparing with others is found to be the most Exact and correct, and agreeable to their Observations made in passing of that River.

Resolved That the said Chart be forthwith Engraven on Copper Plates, which the Treasurer hath by him, suitable for that purpose; And that a sufficient number of them be printed off for the Service of the Fleet, in the intended Expedition to Canada. — And that the Treasurer be Desired to Over See the Engraving of the said Plates, and to send for such of the Pilots or others as he shall see cause. [*Passed July 15.*]

Legislative
Records of the
Council, viii.,
457.

CHAPTER 55.

RESOLVE ALLOWING CPT: STEEL £.10, PER MONTH AS COMMISSARY.

UPON THE PETITION of Cpt. Thomas Steel Commissary to Canada, — *Resolved* That the Sum of Ten Pounds \wp month, be Allowed to the Petitioner for his Service. the former Grant of Forty Pounds to him, being made null. [*Passed July 16.*]

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lxxi., 538.

Ante, chap. 50.

CHAPTER 56.

ORDER FOR VICTUALLING Y^E TRANSPORTS.

IN CONSIDERATION, That the Summer is So far Advanc'd, that there is danger Some of the Transports, may be blown off the Coast. in their Return home.

Ordered That the Provisions, for the present Expedition, be made up, Six months Bread & five months, of the other Species, of victualing for the men in the Pay of this Province. [*Passed July 16.*]

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lxxii., 112.

Ante, chap. 8.
Post, chap. 70.

CHAPTER 57.

ORDER FOR PROVIDING BEDS FOR Y^E SOLDIERS.

Ordered That Capt: Fitch, M^r Barnes, & Capt: Mills, be a Committee, to provide a suitable number of Beds, for the use of the souldiers in the present Expedition. to be DD:¹ to the Commissary General to be by him DD: to the masters of the Transports \wp indent. [*Passed July 16.*]

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lxxi., 536.

Post, chap. 124.

CHAPTER 58.

ORDER FOR PROVIDING ARMOURERS.

Ordered That Two Armourers be Allowed in the present Expedition, to be paid after the Rate of Three Pounds \wp month each. [*Passed July 16.*]

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lxxi., 537.

¹ Delivered.

CHAPTER 59.

RESOLVE ALLOWING £.6¹¹/10, TO BENJ^A ELLIOT.

Legislative
Records of the
Council, viii.,
459. Mass.
Archives,
lviii., 272.

Ante, chap. 38.

UPON THE ACCOMPT of Benjamin Elliot Book Seller for Copys of the Laws at May Session & Election Sermon;

Resolved That the sum of six Pounds & ten Shillings be allowed & paid out of the publick Treasury to m^r Benj^a Eliot, on acc^o mentioned on the other side. [*Passed July 16.*]

CHAPTER 60.

ORDER APPOINTING A COMM^{TEE} TO TAKE UP & FIT THE GUARD VESSELS.

Legislative
Records of the
Council, viii.,
460. Mass.
Archives,
lxiii., 116.

Ante, chap. 53.
Post, chap. 101.

Ordered That, M^r Speaker, Capt: Gilbert Bant, & M^r William Clark (of the north End) be a Com^{tee}, forthwith, to Take up, Equip, & fit the two vessels ordered by this Court, for the Guard of the Coast

That y^e Committee so soon as they have pitch'd on y^e vessells they forthwth attend his Ex^{cy} to receive the necessary orders & warrants, but that It be Referr'd to the Com^{miss}^y Generall to victuall them. [*Passed July 16.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-FOURTH DAY OF AUGUST, A.D. 1709.

CHAPTER 61.

ORDER FOR MAKING $3/4$, & $3/8$, BILLS OF CREDIT.¹

WHEREAS there are two Bills of two Shillings Each, and two halfe Crown Bills, Engraven upon one and the same Plate.

Resolved That for the benefit of Exchange in the Market, One of the said two Shilling bills be made three Shillings; And one of the halfe Crown Bills be made three Shillings and Six pence; with such Alterations in the respective Escutcheons as the Committee shall thinke fit.

And that the proportion of the Fifteen Thousand Pounds in Bills not yet printed, be Imprinted off the Plates being so altered. [*Passed August 26.*]

Legislative
Records of the
Council, viii.,
465. Mass.
Archives, ci.,
364.

Ante, chap. 44.
Post, chap. 109.

CHAPTER 62.

RESOLVE ABOUT ASSESSORS NOT CHOSEN AT A GENERAL TOWN MEETING FOR CHOICE OF OFFICERS.²

UPON REPRESENTATION made to this Court, That several Towns within this Province, at their General Town Meeting for the choice of Town Officers, in the month of March annually, neglecting to choose Assessors, (distinct from their Select men) of such Rates and Taxes as the Great & General Court or Assembly by their Acts have, from time to time, Ordered and appointed such Towns to pay towards the Publick charges of the Province, (as by Law they might then have done) have afterwards proceeded to the choice of persons Specially for that Service; and for the assessing of their Town Rates and proportion to the County Tax; whereby the Legality of the choice at other time, and of the Assessm^{ts} made by the persons so chosen, is disputed and drawn into Question, To the Obstructing of the Collecting and paying in of the Publick Rates and Taxes, and to the Detriment of the Province.

Resolved, That, for the time past, all Province, County & Town Rates and Taxes apportioned in any Town by Assessors specially chosen, appointed and Sworn, such Election or appointm^t not being on the anniversary day for the choice of Town Officers notwithstanding, are and shall be deemed held and reputed good and Effectual in Law. And all Constables and Collectors to whome any such Assessm^{ts}

Legislative
Records of the
Council, viii.,
466. Mass.
Archives, ci.,
362.

¹ Printed in the notes to the Acts for the year 1709-10, Province Laws, i., 646; reprinted here, as important.

² Printed in the note to the Act of March 20, 1699-1700, Province Laws, i., 419; reprinted here, as important.

have been or shall be committed, Be and hereby are Impowred and Enjoyn'd, to Collect Gather in and pay the same, or any arrears thereof according to the Direction in the Warr^{ts} to them respectively Granted, as if such Assessments had been made by the Select men, or Assessors duely chosen on the anniversary day for the choice of Town Officers as aforesaid; And shall incur and be Subject to the pains and penalties by Law provided for default and neglect of their Duty in such case; Any Law Usage or Custom to the contrary notwithstanding.

And that for future the Law be Strictly Observed and kept for the Appointment or Choice of Assessors at the annual Gene[r]eal Town Meeting in March; If the Inhabitants shall think fit to choose or appoint any such, distinct from their Select men But if otherwise the Select men shall attend their Duty in that regard. And that no Assessors be chosen at any other Town Meeting, but in the case as the Law provides, upon y^e refusal or death of any of the Assessors then chosen at the General Meeting in March annually. [*Passed August 27.*]

CHAPTER 63.

Legislative
Records of the
Council, viii.,
467. Mass.
Archives, iii.,
122.

Post, chap. 78.

ORDER FOR RUNNING THE S^O LINES OF SUFFIELD & ENFIELD. [*Passed August 27.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 64.

Legislative
Records of the
Council, viii.,
467. Mass.
Archives, iii.,
123.

Post, chap. 121.
Executive
Records of the
Council, v., 83.

ORDER APPOINTING A COMM^{TEE} FOR RUNNING THE S^O LINE OF THE PROVINCE. [*Passed August 27.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 65.

RESOLVE ALLOWING £.10, TO JOHN GYLES.

Legislative
Records of the
Council, viii.,
467. Mass.
Archives, lxxi.,
539.

UPON READING a Petition of John Gyles of Salem, Setting forth his being disabled to use one of his Arms, by Reason of a Wound received in her Majesties Service, being a Soldier under the Command of Major Turner, Praying some Allowance for his Sustenance over & above what he has received;

Resolved That the Sum of Ten Pounds be farther Allowed, & Paid out of the Publick Treasury to John Giles the Petitioner as a full Consideration for the damage Sustained by his wound abovementioned. [*Passed August 27.*]

CHAPTER 66.

RESOLVE FOR REPAIRING Y^E PRESID^{TS} HOUSE.

Resolved That the Sum of Twelve Pounds be Allowed, & Paid, out of the Publick Treasury to Captain Thomas Oliver one of the Committee, appointed to Repair the President's House, at Cambridge, to Purchase, materials necessary for that end. [*Passed August 27.*]

Legislative
Records of the
Council, viii.,
467. Mass.
Archives,
lviii., 272.

Ante, chap. 40.
Post, chap. 153.

CHAPTER 67.

ADVICE FOR A PUBLICK FAST.

UPON A MOTION from the House of Represent^{ves} for a publick Fast;

Advised that it be appointed upon Thursday the fifteenth of September next. [*Passed* August 27.*]

Legislative
Records of the
Council, viii.,
468.

Post, chap. 103.
Legislative
Records of the
Council, viii.,
469. Records
of the First
Church at Dor-
chester, p. 221.
Love's Fast
and Thanks-
giving Days of
New England,
p. 486.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FOURTEENTH DAY OF SEPTEMBER, A.D. 1709.

CHAPTER 68.

ORDER FOR CONTINUING ALL HEARINGS.

Legislative
Records of the
Council, viii.,
469.

Ordered that all Hearings depending before this Court that had Day assign'd them at the former Sessions thereof be & hereby are Continued, and Adjourned to the same Day in the Week respectively in y^e next Session. [*Passed September 16.*]

CHAPTER 69.

RESOLVE RESPECTING SLOOP PHOENIX HER HIRE.

Legislative
Records of the
Council, viii.,
472. Mass.
Archives,
lxiii., 121.

Post, chap. 75.

Resolved That the Pay of the sloop Phoenix for the Time she was Imploied, in Her majesties service on her Cruises in the Spring ending the 4th of April last be Computed, at ten shillings p^r Tun, p^r month, and that Addition be accordingly made to the Sum, she was paid by the muster Roll already Pass'd. [*Passed September 17.*]

CHAPTER 70.

RESOLVE ALLOWING £.469 „ 7 „ 1, ON ACCT^t OF CHARGE IN FITTING TRANSPORTS.

Legislative
Records of the
Council, viii.,
472. Mass.
Archives,
lxiii., 122.

Ante, chap. 56.
Mass.
Archives,
lxiii., 123.
Executive
Records of the
Council, v., 56.

AN ACCOMPT of the Charge of Fitting of Transports for the Intended Expedition to Canada, Offer'd by Mess^{rs} Thomas Hutchinson, Charles Chambers & Samuel Greenwood the Committee appointed to that Service, Amounting to Four Hundred sixty nine Pounds seven Shillings & one Penny, Including Twenty Pounds for their own Service, Sent up from the Represent^{ves} with the Resolve of that House pass'd thereon; Viz,

Resolved That the Sum of Four Hundred Sixty nine pounds, seven Shillings, & one penny, be Allowed, & Paid, out of the publick Treasury to the within named Comittee, to Discharge the above accompt

In Council.

Read & Concurr'd. [*Passed September 17.*]

CHAPTER 71.

RESOLVE ALLOWING WAIT WINTHROP ESQ^R £.13. 19.

AN ACCOMPT of Wait Winthrop Esq^r of his Charges in the Journey to New York on an Attendance on the Right Hon^{ble} the Lord Lovelace, as Commissioner from this Government, Amounting to Thirteen Pounds nineteen Shillings; Sent up from the Representatives with a Resolve pass'd thereon in that House; Viz,

Legislative
Records of the
Council, viii.,
472.

Ante, chap. 30.

Resolved that the Sum of Thirteen Pounds nineteen Shillings be allowed & paid out of the publick Treasury to the Hon^{ble} Wait Winthrop Esq^r to discharge the above Accompt:

Read & Concur'd to by the Council. [*Passed September 17.*]

CHAPTER 72.

VOTE FOR THE ACCEPTANCE OF THE REPORT ABOUT TAUNTON NORTH & SOUTH PURCHASES. [*Passed September 19.*]

Legislative
Records of the
Council, viii.,
469. Mass.
Archives, xi.,
236.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 14.
Mass.
Archives, xi.,
260, 297-302, 304.

CHAPTER 73.

ORDER ON PETITION OF JER: & MERCY TAY FOR PUTTING A BOND IN SUIT.

UPON READING a Petition of Jeremiah Tay of Boston Mariner & Mercy his Wife only Child of Nathaniel Woodward late of Boston Mariner Dec^d Setting forth That Robert Woodward Father of the said Nathaniel dying Intestate, The County Court for Suffolk (having then Power by Law for Distribution & Settlement of the Estates of Intestates,) disposed of the whole Estate of the said Robert Woodward unto Rachel his Wife & Administratrix (Who had intermarried with one Thomas Harwood) for Payment of the Dec^{ds} Debts & Education of his Children, And Assign'd Forty Pounds to the said Rachel for Dower, The Remainder in Portions to his Children, The said Admin^x or her Husband Thomas Harwood to give Security for Payment thereof, And the said Thomas Harwood having accordingly given Bond to M^r Edward Rawson then Recorder of the said County (Who is since Dec^d) & his Successors for Performance thereof, Praying that some Person may be assign'd & appointed capable in Law to put the said Bond in Suit, Her Father Nathaniel Woodward not having received his Portion;

Legislative
Records of the
Council, viii.,
473. Mass.
Archives,
xvii., 237.

Ordered That Addington Davenport Esq^r present Register of the County of Suffolk, Be and hereby is Directed and Impowred to put the withinmentioned Bond in Suit, to the use of the persons for whome it was given. [*Passed September 19.*]

CHAPTER 74.

RESOLVE FOR PAYING TWO MONTHS WAGES TO THE FORCES.

Legislative
Records of the
Council, viii.,
475. Mass.
Archives,
lxxi., 545.

Resolved That the Officers, & Souldiers Rais'd (and Allowed by this Court to be in the Pay of this Province) for the intended Expedition to Canada, be forthwith Paid, Two months wages, including what, they have received of the Commissary, & that care be Taken, that those who are, Sons under age, & Servants, be So inserted in the Rolls. [*Passed September 20.*]

CHAPTER 75.

ORDER ON SIR CHA: HOBBOYS PETITION ABOUT Y^E SLOOP PHOENIX.

Legislative
Records of the
Council, viii.,
474.

Ante, chap. 69.
Post, chap. 137.
Mass.
Archives,
lxiii., 124.

UPON READING a Petition of Sir Charles Hobby Praying Payment for his Sloop Phoenix Cpt: John Miles Commander taken up on her Majesties Service for Defending of the Coast & Captured by the Enemy, Also for her Hire to the Time of her Capture :

Ordered that M^r Commissary General make up the Accompts of the Outsett of the Sloop Phoenix of what was advanced of the publick Stores for her Fitting, And that being subducted, a Warrant be made out upon the Treasury to pay to the Petitioner what shall appear to be due for Ballance of the Apprizement of the Vessel, W^{ch} is to be reckon'd Four Hundred thirty four Pounds, As also for the Hire for her Service to the Time of her Capture, According to Establishment. [*Passed September 21.*]

CHAPTER 76.

ORDER THAT A PRESENT BE MADE TO THE MAQUA AND TO Y^E INTERPRETER.

Legislative
Records of the
Council, viii.,
475. Mass.
Archives,
xxxii., 60.

Mass.
Archives,
xxxii., 59, 76.
Executive
Records of the
Council, v., 90,
93, 99, 101.
Sewall's Diary,
ii., 261.

Ordered That a Present be made to the Maqua now attending, of a Coat &^a as was to those newly returned.

And that m^r Baptiste the Interpreter, who has attended here nigh two months, have a Present of Ten Pounds made to him for his Service. [*Passed September 21.*]

CHAPTER 77.

RESOLVE ALLOWING £.80, TO HIS EXCY. FOR HIS JOURNEY TO THE CONGRESS.

Legislative
Records of the
Council, viii.,
476. Mass.
Archives, ci.,
368.

Mass.
Archives,
lxxi., 543.
Legislative
Records of the
Council, viii.,
470, 473, 474.
Sewall's Diary,
ii., 263.

THIS HOUSE Understanding, That His Excellency the Governour, Intend's a Journey Southward, in a short time, to meet, & Confer, with the Governors of the Neighbouring Provinces, relating to the Publick Affairs.

Resolved That the sum of Eighty Pounds be Allowed & Paid out of the Publick Treasury, to his Excellency's order, to Defray the charge of his Journey, if he Proceeds therein.

In Council.

Read and concurr'd. [*Passed September 21.*]

RESOLVES. ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SIXTH DAY OF OCTOBER, A. D. 1709.

CHAPTER 78.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE FOR THE SOUTH
BOUNDS OF SUFFIELD. [Passed October 27.]

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, viii.,
480. Mass.
Archives,
cxiii., 532.

Ante, chap. 63.
Post, chap. 129.

CHAPTER 79.

ORDER FOR AN ADDRESS OF YE COURT TO COLL: NICHOLSON.

Ordered That a Message be sent to the Hon^{ble} Col: Francis Nicholson,
That This Court do Gratefully Acknowledge the uncommon Zeal,
which his Honour hath shewn for Her Majesty's Service, and his good
Inclinations to Assist, & Promote the Welfare of Her Majesty's good
Subjects, of this & the neighbouring Governments, Sensibly, Expressed
by his Industrious, & painfull Laying out himself to put forward the
late designed Expedition.

Legislative
Records of the
Council, viii.,
481. Mass.
Archives, xx.,
119.

And as he is now designed, to Great Britain, Pray his earnest, &
humble Applications to Her Majesty in our favour, with a Represen-
tation of our distressing Circumstances And That Her Majesty would
be Graciously Pleas^d to Consider us, with respect, to this year's vast
Expence, & our future Tronbles, & Dangers by the Enemy, more espe-
cially in case the War should Continue, to Send a force sufficient early
the next Spring. to Reduce Port Royall, which will be of great Advan-
tage & service to Her Maj^{ty's} Interests in these Plantations. And which
by the long & expensive War, we are so Impoverished and Enfeebled,
as not to be in a Capacity to effect.

Legislative
Records of the
Council, viii.,
479 *bis*, 480.
Executive
Records of the
Council, v., 111,
112, 114, 115, 117.

Or if any Overtures of Peace be Renewed in the mean time That Nova
Scotia, & Port Royall nominatim, may be Comprehended, in the Articles,
to be Restored to the Obedience of Her Majesty as anciently it was.
[Passed October 27.]

CHAPTER 80.

RESOLVE ALLOWING £5, TO DAVID RIDLEY.

UPON READING a Petition of David Ridley of Boston Praying Con-
sideration for his Smart & Loss of his Right Hand in her Majesties
Service on Board the Sloop Phoenix Cpt: Miles Commander

Legislative
Records of the
Council, viii.,
483. Mass.
Archives,
lxxi., 554.

Resolved That there be Allowed and Paid, out of the publick Treasury, to the Petitioner Five Pounds, for Smart money, Ten Pounds, for the first Year, and five Pounds a Year, afterwards during this Court's Pleasure. [*Passed October 31.*]

CHAPTER 81.

RESOLVE ALLOWING £10, TO JOSIAH CLARK.

Legislative
Records of the
Council, viii.,
484. Mass.
Archives,
lxiii., 128.

UPON READING a Petition of Josiah Clark of Boston Mariner Praying Consideration of his Smart & Pain by a Shot received in his Thigh in her Majesties Service on Board the Sloop Phoenix, Cpt: Miles Commander, which still remains & takes away the Use of his Leg

Resolved That the Sum of Ten Pounds be Allowed & Paid, out of the Publick Treasury, to the Petitioner besides his wages. [*Passed October 31.*]

CHAPTER 82.

RESOLVE ALLOWING 40/, TO EZEK: SMITH.

Legislative
Records of the
Council, viii.,
484. Mass.
Archives,
lxxi., 552.

UPON READING a Petition of Ezekiel Smith of Boston Mariner Praying Consideration of his Smart & Pain by a Shot received in his Head in her Majesties Service on board the Sloop Phoenix Cpt: Miles Commander

Resolved That the Sum of Forty shillings be Allowed, & Paid, out of the publick Treasury to the Petitioner, besides his wages. [*Passed October 31.*]

CHAPTER 83.

RESOLVE ALLOWING £10, TO SAM^{LL} ADAMS.

Legislative
Records of the
Council, viii.,
484. Mass.
Archives,
lxxi., 570.

UPON READING a Petition of Samuel Adams of Charlestown Praying Consideration of his Smart & Pain by a Wound received in his eye to the Loss thereof in her Majesties Service on Board the Sloop Phoenix, Cpt: John Miles Commander

Resolved That the Sum of Ten Pounds be Allowed & Paid out of the Publick Treasury, to the Petitioner besides his Wages. [*Passed October 31.*]

CHAPTER 84.

RESOLVE ALLOWING £5, TO ROGER BAYNHAM.

Legislative
Records of the
Council, viii.,
484. Mass.
Archives,
lxxi., 550.

UPON READING a Petition of Roger Baynham of Philadelphia Mariner, Praying Consideration for his Smart & Pain occasion'd by two Wounds received in his Right Arm in her Majesties Service on board the Sloop Phoenix, Cpt: John Miles Commander

Resolved That the Sum of Five Pounds be Allowed, & Paid, out of the Publick Treasury, to the Petitioner besides his wages. [*Passed October 31.*]

CHAPTER 85.

RESOLVE FOR PAYING MARY PACKER HER HUSBANDS WAGES.

UPON READING a Petition of Mary Packer Widow Praying to be paid Wages due to her Husband Charles Packer late Gunner of the Sloop Phoenix Cpt: John Miles Commander in her Majesties Service & taken into Port Royal,

Legislative
Records of the
Council, viii.,
484. Mass.
Archives,
lxxi., 560.

Resolved That the Petitioner be Paid for her Husband's wages as Gunner, when the acc^o of that service is made up. [*Passed October 31.*]

CHAPTER 86.

RESOLVE ALLOWING £.5, TO VINCENT SHUTTLEWORTH.

Resolved that the Sum of Five Pounds be allow'd & paid out of the publick Treasury to Vincent Shuttleworth of Medfield being sorely scalded whilst in her Majesties Service at Casco Bay. [*Passed October 31.*]

Legislative
Records of the
Council, viii.,
485.

Mass.
Archives,
lxxi., 569.

CHAPTER 87.

RESOLVE ALLOWING £.3, 4, TO SAM^{LL} HUTCHINS.

UPON READING a Petition of Samuel Hutchins of Haverhill, Setting forth That he broke his Leg whilst in her Maj^{ty}s Service;

Resolved That the Sum of Three Pounds & four Shillings, be Allowed & Paid out of the publick Treasury to the Petitioner Sam^{ll} Hutchins. to Defray the charge mentioned on the other Side. [*Passed November 1.*]¹

Legislative
Records of the
Council, viii.,
485. Mass.
Archives,
lxxi., 524.

Mass.
Archives,
lxxi., 522;
cxvii., 342.
Executive
Records of the
Council, v., 119.

CHAPTER 88.

VOTE FOR PURCHASING 35 BARRELS OF GUN POWDER.

Resolved That the Com^{is}sary Gener^l be Desired, to Purchase, Thirty five Barrels of good Gunpowder, which we Understand by him, he can have at nine Pounds p^r barrel to be Paid for out of the Publick Treasury. [*Passed November 1.*]

Legislative
Records of the
Council, viii.,
486. Mass.
Archives,
lxxi., 579.

Executive
Records of the
Council, v., 97.

CHAPTER 89.

ORDER ABOUT MARLBOROUGH COMMONS ON HEARING ON Y^E PETITION OF MOSES NEWTON &c. OF MARLBOR^O.

UPON A HEARING had this Day according to Appointment before both the Houses of the Petition & Complaint of Moses Newton sen^t &

Legislative
Records of the
Council, viii.,

¹ According to Mass. Archives, lxxi., 522-524, Samuel Heseltine, soldier, was the one whose leg was broken, while Sam^{ll} Hutchins, who once signs himself "Hutchi," only took care of the invalid, and then petitioned to be reimbursed for the expense and trouble. In all the later records (cited in the margin) Hutchins appears as the sufferer, while Heseltine is not even mentioned.

485. Mass.
Archives,
cxlii., 522.

Ante, chap. 28.
Mass.
Archives,
cxlii., 523–525.

others Inhabitants of Marlborô of a Division made of the reserved Commons & Lands Contrary to a Vote pass'd at the Beginning of that Plantation, The Select Men of the said Town attending & Answering thereto;

Ordered That the Petition be Dismiss'd.

And that it be Recommended to the Proprietors and the Select men of Marlborô. to make such Improvement of the reserved and Common Lands of the said Town as will be most Encouraging and beneficial to the Advancem^t and Increase of the Plantation; haveing due Regard to the first and ancient Settlers and Inhabitants and their Descendants, who have done Service and born considerable charges in the place.
[*Passed November 2.*]

CHAPTER 90.

RESOLVE ALLOWING £.20, TO Y^E MINISTER OF DUNSTABLE.

Legislative
Records of the
Council, viii.,
486. Mass.
Archives, xi.,
294.

Resolved That the Sum of Twenty Pounds, be Allowed & Paid, out of the Publick Treasury to the Select men of the Town of Dunstable for the Use of M^r Parris their minister. for his service the last year.
[*Passed November 2.*]

CHAPTER 91.

ORDER ON NATH^{LL} LORING'S PETITION TO BE ACQUITTED FROM A BILL OF LADING.

Legislative
Records of the
Council, viii.,
486. Mass.
Archives,
lxiii., 130.

Mass.
Archives,
lxiii., 131.

UPON READING a Petition of Nathaniel Loring Coaster, Praying to be Acquitted from a Bill of Lading which he sign'd for a Parcel of Goods ship'd by the Commissary General in the Year 1707, upon the Sloop Dolphin the said Loring Master Consign'd to Coll: Patridge at Hatfield for the Use of the Forces of this Province, Among which was a Parcel of Hats of the Value of Nine Pounds twelve Shillings that were stolen out of the Warehouse at Saybrook, where he put them on shoar, Not being able to get up the River by Reason of Ice;

Ordered That the Prayer of the Petition be Granted But That the Petitioner Receive no freight, for the other Publick Stores, which he carried at the Same time with the Hatts, withinmentioned. [*Passed November 3.*]

CHAPTER 92.

ORDER ON THE PETITION OF THE CHILDREN OF NICH^O WALLINGFORD IN REGARD TO A SETTLEMENT OF HIS ESTATE.

Legislative
Records of the
Council, viii.,
487. Mass.
Archives,
xvii., 241.

Mass.
Archives,
xvii., 242.

UPON READING a Petition of the Children of Nicholas Wallingford late of Bradford Dec^d Praying a Ratification of the Act of the Court made in the Year 1691, for Settlement of the Lands of the said Dec^d & the Sale made by his Widow of her Share thereof, Assign'd to her unto the Purchaser & Possessor;

Ordered That the Prayer of the within Petition, be Granted. [*Passed November 3.*]

CHAPTER 93.

RESOLVE ALLOWING £5, TO SARAH OLIVER.

UPON READING a Petition of Sarah Oliver of Marblehead Praying Consideration for the Loss of Time, Pain & Cure of her Son Henry Bricknal, who broke his Thigh by a Fall from the Shrowds of the Brigantine Dragon Cpt: John Blew Commander Anno 1707, whilst he was in her Majesties Service;

Resolved That the Sum of Five Pounds be Allowed, & Paid out of the Publick Treasury to Sarah Oliver the Petitioner, in full of her son's Losse of Time, smart, Attendance &c^a. [*Passed November 3.*]

Legislative
Records of the
Council, viii.,
487. Mass.
Archives,
ixiii., 119.

CHAPTER 94.

RESOLVE ALLOWING £3, 12, 2, TO EDW^d SERGEANT.

AN ACCOMPT of Edward Sergeant of Newbury for Ferryage of Soldiers in her Majesties Service Horse & Foot in the Year 1708, with the Resolve pass'd thereon in the House of Representatives; Viz.,

Resolved That the Sum of Three Pounds twelve Shillings & two pence, be Allowed and Paid out of the Publick Treasury to Edward Sergeant, the Accomptant. in full of his ac[ount¹].

In Council.

Read and concurr'd. [*Passed November 3.*]

Legislative
Records of the
Council, viii.,
487. Mass.
Archives,
ccxliiv., 61.

CHAPTER 95.

RESOLVE ALLOWING 32/ 5, TO RICH^d JACKMAN.

AN ACCOMPT of Richard Jackman of Newbury for Ferryage of Soldiers in her Majesties Service and Posts, in the Years 1707, & 1708, With the Resolve pass'd in the House of Represent^{ves} thereon; Viz,

Resolved that the Sum of Thirty two Shillings & five Pence be allowed & paid out of the publick Treasury to Richard Jackman the Accomptant in full of his Accompt:

Read & Concur'd. [*Passed November 3.*]

Legislative
Records of the
Council, viii.,
487.

CHAPTER 96.

RESOLVE ALLOWING £9, TO JN^o GRIFFIN.

AN ACCOMPT of John Griffin of Haverhill for Ferryage of Soldiers in her Majesties Service Horse & Foot in the Year 1708, with the Resolve pass'd thereupon in the House of Representatives; Viz.

Resolved that the Sum of Nine Pounds be allowed and paid out of the publick Treasury to John Griffin the Accomptant in Full Discharge of his Accompt on the other Side.

Read & Concur'd. [*Passed November 3.*]

Legislative
Records of the
Council, viii.,
487.

¹ Manuscript mutilated.

CHAPTER 97.

RESOLVE ALLOWING £.47, TO D^R HUMP: BRADSTREET.

Legislative
Records of the
Council, viii.,
488. Mass.
Archives,
cclxxxv., 62.

Ante, chap. 37.
Mass.
Archives,
cclxxxv., 63.

UPON READING a Petition of Humphrey Bradstreet Chirurgion Praying Payment of Sixty Pounds fifteen Shillings & six Pence according to the Accompts annex'd for Medicines & Attendance on the Cure of several Men wounded in her Majesties Service, when the Enemy made an Attack on Haverhill in August 1708, for Diet, Washing and Lodging of several of them

Resolved That the Sum of Forty & Seven Pounds, be Allowed, & Paid out of the Publick Treasury, to Humphry Bradstreet in full of his Acc^o of £₆₀ ₁₅ ₆. [*Passed November 3.*]

CHAPTER 98.

ORDER ON PETITION OF MARG: BARGER AND OTHERS, EMPOWERING HER TO SELL A HOUSE AND LAND.

Legislative
Records of the
Council, viii.,
488. Mass.
Archives,
xvii., 224.

Mass.
Archives,
xvii., 222, 225.

UPON READING a Petition of Margaret Barger Relict Widow of Philip Barger late of Boston Mariner Dec^d Samuel Green & Elisabeth his Wife & Philip Barger Children of the Dec^d Praying that she may be impowered to make Sale of the House & Land left by her said Husband for the Payment of Debts due from the Estate &c,

Ordered That the Petitioner, be Impowered to Sell the House, & Land therein mentioned, & that the just Debts, be all Paid, & the Remainder be divided, to her & her children, by the Judge of Probates, as the Law directs having Regard, to what each, or any, of the children, have already received. [*Passed November 3.*]

CHAPTER 99.

RESOLVE ALLOWING £.20, TO CPT: AND: ROBINSON & COMP^A FOR TWO INDIAN SCALPS.

Legislative
Records of the
Council, viii.,
489. Mass.
Archives,
xxxI., 58.

Legislative
Records of the
Council, viii.,
464.

UPON READING a Petition of Cpt: Andrew Robinson of Gloucester Praying a Reward to him & Company on Board his Sloop for two Indian Enemy Men by them slain in the Summer past of Margarets Bay to the Eastward, & the Scalps of them produced

Resolved That the Sum of Twenty Pounds be Allowed, & Paid out of the Publick Treasury for the good Service abovementioned. Twelve Pounds thereof to the Petitioner, & the remaining Eight Pounds, to be equally Divided amongst his Company. [*Passed November 4.*]

CHAPTER 100.

RESOLVE ALLOWING £.2, TO CPT: JN^O GARDNER.

Legislative
Records of the
Council, viii.,
489. Mass.
Archives,
lxxI., 587.

Resolved That the Sum of Forty Shillings be Allowed, & Paid out of the Publick Treasury to Capt: John Gardner, for extraordinary charges he was at, in the Publick service at Haverhill the last year, which was accidentally omitted in an acc^o of charges of the like kind, passd by this Court. [*Passed November 4.*]

CHAPTER 101.

VOTE ACCEPTING A REPORT ABOUT GUARDING Y^E COAST.¹

REPORT of the Committee appointed to Consider of Methods for the best Guarding of the Coast &c Read and Accepted; Viz,

PURSUANT to the within Order wee are humbly of opinion That his Excell^{cy} be desired to continue the Galley upon her cruise untill the Tenth of Decemb^r and longer if the Season will permit, keeping the Sea as much as the weather will allow, Anchoring when there^s a necessity for it at Cape Anne & Cape Cod And for the further Security of the coast wee think it absolutely necessary that there be purchased at the Charge of the Province a good Sayling Sloop to be kept out upon Suitable cruises for protection of the Trade.

Cap^t Southack^s Journall has been before us but he being ordered upon his cruise wee have not had opportunity to examine him thereon.

Novemb^r 3^d 1709

JOHN FOSTER by Order of the Committee.

[*Passed November 5.*]

Legislative
Records of the
Council, viii.,
488. Mass.
Archives,
lxxi., 582.
Ante, chap. 60.
Post, chap. 120.

CHAPTER 102.

ORDER ON THE PETITION OF JOHN STEVENS & OTHERS OF ANDOVER
IN REGARD TO THE DIVISION OF THE TOWNSHIP.

UPON READING a Petition of John Stevens & several others Inhabitants of the Town of Andover, Setting forth their Aggrievance at their Falling into y^e new Precinct upon the Division lately made of y^e said Town;

Ordered that the last Committee repair once more to Andover, And that they be Impowered upon a further Hearing, If their appear any Hardship upon the Petitioners which may be remedied without great Inconvenience to the new Precinct, To Advise & Report it to this Court accordingly, Alwaies Provided that such of the said Families as may be thought reasonable to be return'd to the old Precinct do Notwithstanding pay their Taxes to the Building the Meeting House & Ministry House in the New Precinct, before they be discharged from the same. [*Passed November 5.*]

Legislative
Records of the
Council, viii.,
489.
Ante, chap. 35.
Post, chap. 174.
Mass.
Archives, xi.,
303.

CHAPTER 103.

VOTE FOR A PUBLICK THANKS GIVING.

Voted that there be a Publick Thanks Giving appointed upon Thursday the twenty fourth of November Curr^t to be kept throughout the Province, And a Message by M^r Otis to the Representatives to Acquaint that House thereof.

A MESSAGE from y^e House by Cpt: Burril & Cpt: Otis to Desire the same; And

A PROCLAMATION was drawn up accordingly & sign'd by y^e Governour. [*Passed November 5.*]

Legislative
Records of the
Council, viii.,
490.

Ante, chap. 67.
Post, chap. 176.
Records of the
First Church at
Dorchester in
New England,
p. 221.
Sewall's
Diary, ii.,
269. Sewall's
Commonplace
Book (at
Prince Library
in Boston Pub-
lic Library).
Love's
Fast and
Thanksgiving
Days of New
England, p. 486.

¹ Printed in the notes to the Acts for the year 1709–10, Province Laws, i., 646; reprinted here, as important.

CHAPTER 104.

ORDER ON CPT: EPHRAIM SAVAGES PETITION, COMPLAINING OF A
LEVY UPON A JUDGMENT AGAINST HIM.Legislative
Records of the
Council, viii.,
490. Mass.
Archives, xl.,
932.Mass.
Archives, xc.,
917, 919, 934,
936–938.
Legislative
Records of the
Council, viii.,
402.

UPON READING the Petition of Cpt: Ephraim Savage, Complaining of the Misfeasance of Cpt: Samuel Gookin Sheriff of the County of Middlesex, in the Levying of an Execution or Writt of Haberi facias Possessionem, granted upon a Judgement given against him at a Superiour Court of Judicature holden at Charlestown within the County afore said, on the twenty seventh of January 1707, at the Suit of Francis Smith Yeoman, & Jeremiah Swayne Chirurgeon & Mary his Wife, all of Reading, for their Title and Possession of & in One Hundred Acres of Land scituate in Reading afore said in the County afore said, within the Bounds of a Farm formerly the Estate of Francis Smith Dec^d Ajoining to the Homestead of the said Cpt: Savage:

It evidently appearing on the Face of the Record of the said Judgement & Precept, & the Sheriffs Return'd thereon, that the Sheriff hath acted contrary to his Precept in Levying the Homestead of the said Savage or the greater Part thereof to his grievous Hurt & Damage, as of his Complaint in this Petition;

Ordered That her Majesty's Justices of the Superior Court of Judicature at their next Sitting in Court within the County of Midd^x afores^d Do Inspect the afores^d Record and the Return made by the Sheriffe on the Precept to him Granted, And on Consideration of the Variance therein, and the mislaying thereof on the homestead of the s^d Savage, to make void that Precept and the Service thereof; And Award an alias Execution wth just cost and Damages to the party grived. [*Passed November 8.*]

CHAPTER 105.

ORDER REMITTING 40/, EXCISE DUE BY NATH^l SHANNON.Legislative
Records of the
Council, viii.,
491. Mass.
Archives, cxi.,
81.

UPON READING a Petition of Nathaniel Shannon Praying to be remitted the Sum of Forty Shillings set upon him as Excise for a Licence granted him in the Year 1708, which he made no Use of;

Ordered, That the Prayer of the above Petition be Granted and that the Forty Shillings Set upon the Petitioner to pay for Excise be remitted. [*Passed November 8.*]

CHAPTER 106.

RESOLVE ALLOWING £.10, TO JOS: BELKNAP.

Legislative
Records of the
Council, viii.,
491. Mass.
Archives,
lxxi., 578.

UPON READING the Petition of Joseph Belknap of Boston Praying Consideration of his Smart & Pain by a Wound received in his Hip in her Majesties Service on Board the Sloop Phoenix John Miles Commander;

Resolved That the Sum of Ten Pounds, be Allowed, & Paid, out of the Publick Treasury, to the Petitioner, for his Smart, Losse of Time, & Subsistence besides his wages, And That his Cure be perfected at the charge of this Province. [*Passed November 8.*]

CHAPTER 107.

RESOLVE ON SARAH BUMSTEAD'S PETITION FOR PAYMENT OF PENSION.

UPON READING a Petition of Sarah Bumsted of Boston Widow of Jeremiah Bumsted Dec^d Setting forth That her said Husband had a Pension of Five Pounds per Year allowed him by Order of the General Court for Lameness he got by a Wound in the Countreys Service, Praying that the Payment of the Pension for the last Year of her said Husbands Life (he Dying about two Months before the Expiration of the Year,) may be Ordered to her;

Resolved That the Petitioner, be Paid out of the Publick Treasury, for what Time of the last Year, her Husband Liv'd, in proportion to the annual Pension, he Us'd to Receive. [*Passed November 8.*]

Legislative
Records of the
Council, viii.,
492. Mass.
Archives,
lxxi., 584.

CHAPTER 108.

RESOLVE ALLOWING £.5, TO ISRAEL LEADBETTER.

UPON THE PETITION of Israel Leadbetter of Dorchester Trumpeter, who broke his Leg whilst in her Majesties Service;

Resolved That the Sum of Five Pounds, be Allowed, & Paid out of the Publick Treasury, to the Petitioner in full for his Losse of Time, Nursing, & Attendance. [*Passed November 8.*]

Legislative
Records of the
Council, viii.,
492. Mass.
Archives,
lxxi., 505.

Mass.
Archives,
lxxi., 458–460,
506.

CHAPTER 109.

RESOLVE FOR EMITTING £.18000, IN BILLS OF CREDIT, £.15000, WHEREOF TO BE FORTHWITH SIGNED.¹

Resolved that the Committee Appointed by this Court the 8th of June last, to Make Thirty Thousand Pounds of Bills of Credit, & to keep fifteen Thousand Pounds thereof in their hands unsigned untill further order from this Court,

Be Directed, forthwith to Signe the Said Fifteen Thousand Pounds of Bills, & Deliver them to the Treasurer, taking his receipt for the Same.

And the Treasurer is hereby Directed, & Impowered, to Issue forth & Emit the Said Fifteen Thousand Pounds of Bills of Credit on this Province. together with Three Thousand Pounds more of the Bills, of Public Credit, that are or shall be received into the Treasury, towards Payment of the Publick Debts of the Province, already Contracted, & the further growing charge, for the Defence thereof, for Supplying, & Subsisting of the Province Galley, Forts, Garrisons, & Forces, raised, & to be raised & imploied within the Same, & wages arising for their Service towards Defreying the charge of the late intended Expedition to Canada (belonging to this Province) And the Purchasing, & Equipping, of a Sloop for the Guard, of the Coast, pursuant to a vote of this Court Pass'd, the 4th currant. for payment of Grants, Salaries, & Allowances, made & to be made by this Court, according to Such Draughts,

Legislative
Records of the
Council, viii.,
492. Mass.
Archives, ci.,
371.

Ante, chap. 61.
Post, chap. 147.

¹ Printed in the notes to the Acts of the year 1709–10, Province Laws, i., 646; reprinted here, as important.

as from time, to time, Shall be made upon him by warrant, or Order of the Governour, by & with the Advice, & Consent of the Council, And the S^d Bills, Shall Passe out of the Treasury, at the value therein expressed, equivalent to money & shall be Taken, & accepted, in all Publick Payments, at the Advance, & after the Rate of five Pounds $\frac{1}{2}$ cent more.

And That the Duties, of Impost, & Excise, Shall be affund, & Security, for the Repayment, & Drawing in, of the S^d Bills, to the Treasury again, So far as that will Reach, And as afurther Fund & Security for the Same, for the Paying of Souldiers wages, & for Defreying, of the further necessary growing charge of the Province the Defence of Her Majesty's Subjects, & Interests, within the Same & Support of the Government thereof, THERE be, & hereby is Granted unto Her most Excellent Majesty to the Ends, & Uses, aforesaid, a Tax of Eighteen Thousands Pounds one Thousand Pounds thereof to be Levied on Polls & Estates, both reall, & Personall, within this Province, according to Such Rules, & in Such Proportion, upon the Severall Towns and Districts, within the Same, as Shall be Agreed on, & Ordered, by the Great, & Generall Court, or Assembly of this Province, at their session in May 1712, and Seventeen Thousand Pounds thereof, in May 1713, And One Thousand Pounds thereof, Shall be Paid in, to the Treasurer, on or before the last day of May 1713 Eleven Thousand Pounds thereof, on or before the last day of November 1713, & Six Thousand Pounds thereof on or before the last day of May 1714 :

And Whereas in a Resolve of this Court, Pass'd the 8th day of June last, Granting to Her Majesty a Tax of Twenty five Thousand Pounds, It is Ordered That Three Thousand Pounds of the Said Sum, Shall be Levied, at the Session of this Court in May 1713. It is hereby

Ordered That no part thereof, shall be then Levied but, Twenty one Thousand Pounds thereof shall be Levyed, at the Session in May 1712. any thing in the said Resolve to the contrary notwithstanding. [*Passed November 8.*]

CHAPTER 110.

ORDER ALLOWING 50/, TO PHILIP PENDEXTER.

Legislative
Records of the
Council, viii.,
494. Mass.
Archives,
lxxi., 589.

Mass.
Archives,
lxxi., 590.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves} upon the Petition of Philip Pendexter Praying Payment for a Fuzil impress'd from him for her Majesties Service on Board the Sloop Phoenix Cpt: John Miles Commannder, and taken by the Enemy in the said Vessels Read & Concur'd ; Viz,

Ordered That the Sum of fifty Shillings be Allowed, & Paid out of the Publick Treasury, to the Petitioner, in full, for His Damage, Set forth in his Petition. [*Passed November 8.*]

CHAPTER 111.

VOTE ON THE AFFAIR OF HADLEY & HATFIELD. [*Passed November 8.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, viii.,
494. Mass.
Archives,
cxlii., 494.

Ante, chap. 27.
Mass.
Archives,
cxlii., 490, 491.
Legislative
Records of the
Council, viii.,
489.

CHAPTER 112.

ORDER IMPOWERING JOSEPH & ANN MARSH, WITH THO^s BRATTLE ESQ^r & EDMUND QVINSEY ESQ^r AS TRUSTEES TO SELL CERTAIN HOUSING & LANDS.

UPON READING a Petition of Joseph Marsh & Ann his Wife Daughter & Executrix of the last Will & Testament of Moses Fiske late of Brantrey in the County of Suffolk Clerk Dec^d Praying the Revival of an Order past by this Court at their Session in May past Impowering the said Executrix with M^{rs} Anna Shephard (since Dec^d) in Behalf of Shephard & Margaret Fiske Minors Children of the said Moses Fiske (Minors) to make Sale of his Housing & Lands lying in Brantrey afore said, Devised to his said three Children to be equally divided between them, And that some other suitable Person may be appointed as a Tutor or Guardian for the said Minors to join with the Petitioners in the Sale of the Housing & Lands afore said & Stock to them belonging & to Execute good & sufficient Deeds in the Law for Passing & Conveying the same & to employ the Money produced thereby to the best Advantage for their Education & Bringing up

Ordered That the Prayer, of the Petitioners be Granted, & That Thomas Brattle Esq^r of Boston, & Edmund Qvinsey Esq^r of Brantrey, be Impowered as Trustees with the Petitioners, to make Sale of the Housing, & Lands, Set forth in this Petition for the Use therein mentioned. [*Passed November 8.*]

Legislative
Records of the
Council, viii.,
495. Mass.
Archives,
xvii., 235.

CHAPTER 113.

ORDER IMPOWERING HENRY ROLFE TO SELL CERTAIN REAL ESTATE.

UPON READING the Petition of Henry Rolfe Administrator of the Estate of his Brother M^r Benjamin Rolfe late Pastor of the Church of Haverhill Dec^d Setting forth That the Personal Estate of the Dec^d Amounted to One Hundred & twenty eight Pounds fifteen Shillings & nine Pence, his Real Estate to Two Hundred twenty five Pounds, The Debts owing from the Estate amounts to Two Hundred forty eight Pounds, Some of which must be sold for Payment of the Debts, The Housing & Lands being a Homestead & Pasture, W^{ch} if sold together will sell for considerably more than if Part only were sold for the End afore said, The Whole is lett for Five Pounds ten Shillings per Annum; & if disposed of together will fetch about Three Hundred Pounds, W^{ch} will be more beneficial to the Children than the Land can be, Praying that it may be so Ordered;

Ordered That the Petitioner, be Impowered, to make Sale of the House, & Land, mentioned in this Petition, to the best advantage, & after all the just Debts, are paid, the Surplusage, or remaining part of the s^d Estate, be Disposed of, by the Judge of Probate according to Law. [*Passed November 8.*]

Legislative
Records of the
Council, viii.,
495. Mass.
Archives, xi.,
305.

CHAPTER 114.

ORDER IMPOWERING ROWLAND COTTON TO SELL CERTAIN REAL ESTATE.

Legislative
Records of the
Council, viii.,
496. Mass.
Archives,
xi., 292.

Mass.
Archives,
xi., 305.

UPON READING the Petition of Rowland Cotton of Sandwich Minister, Administrator of the Estate of John Cotton late Minister of Yarmouth Dec^d Praying to be Impowered to make Sale of the House & Land of the Dec^d Containing about six or eight Acres of Land with a House & Barn upon it, Apprized at One Hundred Pounds, let one Year for Five Pounds, an other Year for Fifty two Shillings, & is now let out Rent free, to preserve it from Falling down, for the Use & Comfort of the dec^{ds} Children being seven in Number :

Ordered, That the Petitioner, be Impowered, to Sell the House, & Land, in Yarmouth, which his Brother M^r John Cotton, Died Seiz'd off, & That he Accompt with the Judge of Probate, for the Produce thereof. [*Passed November 8.*¹

CHAPTER 115.

Legislative
Records of the
Council, viii.,
494. Mass.
Archives,
cxiii., 534.

Ante, chap. 5.

VOTE ACCEPTING A COMMITTEE'S REPORT OF TISBURY BOUNDS AND THE INDIAN TOWN ON MARTHA'S VINEYARD, AND APPORTIONING EXPENSES THEREOF. [*Passed November 9.*

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 116.

RESOLVE ALLOWING £.7, TO M^r JON^a RUSSEL FOR AN INDIAN CURE.

Legislative
Records of the
Council, viii.,
497. Mass.
Archives,
xxxi., 61.

UPON THE MOTION of Jonathan Russel of Barnstable Praying Payment of Seven Pounds for the Cure of Jacob Skenaskon (Indian) of a Callous & Cavous Ulcer, Whereby he became exceeding lame, Whilst in her Majesties Service at Casco Fort;

Resolved That the Sum of Seven Pounds be Allowed, & Paid out of the publick Treasury, to M^r Jonathan Russel, for the cure mention'd on the other Side. [*Passed November 9.*

CHAPTER 117.

RESOLVE ALLOWING SARAH MYLES £.50.

Legislative
Records of the
Council, viii.,
497. Mass.
Archives,
lxiii., 140.

UPON READING a Memorial of Sarah Myles Relict Widow of Cpt: John Myles late Commander of the Sloop Phoenix equip'd in War like Manner for Guarding the Coast, slain in her Majesties Service, Setting forth the distress'd State of her self & fatherless Children by the Loss

¹ The following vote of interpretation of the foregoing passed both houses of the legislature, November 10, 1710, but does not appear to have received the Governor's signature: "*Voted*, That the whole of the Homestead of the dec^d both upland and meadow be intended and included in the above order for Sale." — Mass. Archives, xi., 305.

of her Husband with the Cloaths Books Instruments Bedding & Arms, Not of less Value than Fifty Pounds,

Resolved That the Sum of Fifty Pounds be Allowed, & Paid out of the publick Treasury to Sarah Myles the Petitioner, besides her Husband's wages. [*Passed November 10.*]

CHAPTER 118.

RESOLVE ALLOWING £.6., 10/, TO JOS: JENNINGS & 30/, TO HIS MAN.

UPON READING a Petition of Joseph Jennings of Brookfield Praying Consideration of the Smart: & Loss of Time of him self & Man being both wounded in her Majesties Service;

Resolved That There be Allowed and Paid out of the publick Treasury, to the Petitioner, Six pounds ten Shillings, for his own Smart, and the losse of his, & his man's time, and Thirty Shillings to his man Benj^a Gennings, for his Smart. [*Passed November 10.*]

Legislative
Records of the
Council, viii.,
498. Mass.
Archives,
xxi., 555.

CHAPTER 119.

ORDER IMPOWERING SUSANNAH COOK AND CPT. SAMUEL PHIPPS AS TRUSTEE TO SELL CERTAIN REAL ESTATE.

UPON READING the Petition of Susannah Cook, Administ^r of the Goods, Chattels &c of her former Husband Samuel Fowle of Charlestown Mariner Dec^d who died abroad at Sea, Having what Effects he could make with him, & left her low with the Care of two small Children, & then going with a third born after his Departure, And what by long Sickness. & Charge of bringing up her Children, she was necessitated to ask Credit, & about five Years since intermarried with one Thomas Cook Mariner who lived with her about two Months took a Voyage to Sea, leaving her with Child died abroad & all lost with him, There Remaining of the Estate of her first Husband Fowle about Twenty five Acres of Upland & Meadow lying in Woburn out of Fence w^{ch} brings in no Income nor is like to do, Praying that she may be Impowered to Make Sale thereof to Enable her to bring up his Children who are small and the eldest sickly & infirm, Her Husbands Brother John Fowle proferring to buy the same;

Ordered That The Praier of this Petition be Granted, And That Capt: Samuel Phipps be Join'd with the Petitioner, as a Trustee, And That they be Impowered to make sale, of the Land, as Set forth in the Petition. [*Passed November 10.*]

Legislative
Records of the
Council, viii.,
498. Mass.
Archives,
xvii., 215.

Mass.
Archives,
xvii., 216, 230.

CHAPTER 120.

VOTE ON ACCT OF DISBURSEM^{TS} ON SLOOP MARLBORÔ & BRIG: DRAGON.

[UPON READING] The Accompt of Stores & Disbursements for Equipping & Fitting out the Sloop Marlborough Cpt: Beamsly Perkins Commander & the Brigantine Dragon Cpt: John Blew Commander as Vessels of War for Guarding the Coast Presented by John Clark Esq^r Gilbert Bane & William Clark the Committee for that Affair;

Legislative
Records of the
Council, viii.,
498. Mass.
Archives,
cexliv., 65.

Ante, chap. 101.
Mass.
Archives,
ccxlv., 56, 57,
64. Legislative
Records of the
Council, viii.,
473. Executive
Records of the
Council, v.,
113, 115.

Resolved That the Sum of Seven Hundred Thirty Seven Pounds, eight Shillings, & eleven pence, be Allowed, & Paid out of the Publick Treasury to the Committee within mentioned, to Discharge their Acc^o on the other Sides. [*Passed November 10.*]

CHAPTER 121.

ORDER ALLOWING SAM^{ll} THAXTER &c £.7^{..} 9^{..} 1, FOR SURVEYING Y^e SOUTH LINE.

Legislative
Records of the
Council, viii.,
499.

Ante, chap. 64.
Post, chap. 151.

AN ACCOMPT presented by Major Samuel Thaxter of Expences & Time of him self & the Rest of the Committee that lately surveyed the South Line of the Province with the Order pass'd thereon in the House of Represent^{ves} Viz, THAT the Sum of Seven Pounds nine Shillings & a Penny be allowed & paid out of y^e publick Treasury to Maj^r Sam^{ll} Thaxter y^e Accomptant to discharge the s^d Accompt: [Read & concur'd]. [*Passed November 11.*]

CHAPTER 122.

RESOLVE ALLOWING £.10, TO JN^o GREEN & A PENSION OF £.5, PER ANNUM.

Legislative
Records of the
Council, viii.,
500. Mass.
Archives,
lxxi., 557.

UPON READING a Petition of John Green of Brookfield Praying a Gratuity for Loss of Time & Smart of a Wound received in her Majesties Service in his Right Arm to the total Loss of his Right Hand & an Annual Pension;

Resolved That There be Allowed & Paid out of the Publick Treasury to John Green the Petitioner Five Pounds Smart-Money, with five pounds, for the year past, and Five pounds ^p annum for five year's next coming, if he Shall live So long. [*Passed November 11.*]

CHAPTER 123.

ORDER ON BROOKLYN PETITION IN REGARD TO A MEETING HOUSE AND MINISTER.¹

Legislative
Records of the
Council, viii.,
500.

Mass.
Archives, xi.,
305.

UPON READING a Petition of the Town of Brooklyn Praying an Enlargement of Time for Settling of a Minister &c.

Ordered that one Years Time be added to the first Grant for Building of a Meeting House & Settling of a Minister. [*Passed November 12.*]

CHAPTER 124.

RESOLVE ALLOWING £.3^{..} 12, TO JOHN MILLS.

Legislative
Records of the
Council, viii.,
501. Mass.
Archives,
lxxi., 598.

Ante, chap. 57.

A RESOLVE pass'd in the House of Represent^{ves} upon the Accompt of John Mills for four Loads of Straw for y^e Soldiers Beds the last Summer; Viz,

Resolved That the Sum of Three Pounds & twelve Shillings be Allowed, & Paid out of the Publick Treasury, to John Mills the Accomptant: Read & Concur'd. [*Passed November 12.*]

¹ In the petition the town is called Brookline.

CHAPTER 125.

RESOLVE ALLOWING £35⁰ 0⁰ 8, TO JOHN GERRISH.

AN ACCOMPT of John Gerrish Gun Smith for Fixing up Arms Granada Powches, Belts & Swivels for two Great Swivil Guns Flints, Atalberts for the Castle, & other Utensils of War for her Majesties Service in the Province, Amounting to Thirty five Pounds & eight Pence, Was offered from the Representatives with the Vote of that House thereupon; Viz,

Resolved that the Sum of Thirty five Pounds & eight Pence be allowed & paid out of the publick Treasury to John Gerrish the Accomptant:

Read and Concur'd. [*Passed November 12.*]

Legislative
Records of the
Council, viii.,
501.

CHAPTER 126.

ORDER FOR PREACHING AT TIVERTON, ALLOWING 20/, 4^p WEEK FOR THAT SERVICE.

Ordered That the neighbouring Ministers be Desired, to Preach in their Turns, at Tiverton, untill the last of June next, or to Procure, the most Sutable Person, they can, for the Circumstances of that People And That twenty Shillings 4^p week, be Allowed out of the Publick Treasury, for that Service. [*Passed November 15.*]

Legislative
Records of the
Council, viii.,
502. Mass.
Archives,
xi., 304.

Ante, chap. 42.
Post, chap. 168.
Executive
Records of the
Council, v.,
70, 105.

CHAPTER 127.

RESOLVE RESPECTING THE SETTLEM^t OF A MINISTER AT FREETOWN, AND ALLOWING £.20, FOR THEIR ENCOURAGEM^t.

UPON APPLICATION made of several of the Inhabitants of Freetown Praying the Assistance of this Court towards the Settling of a Gospel Minister among them, Whereof they express them selves desirous;

Resolved, That the good, & laudable Inclination of the Petitioners, be Approved, & Encouraged. And They are Advised, to Proceed, without Delay, to Invite a learned orthodox Minister, to Reside amongst them And That the Sum of Twenty Pounds be Allowed, & Paid, out of the Publick Treasury, towards his Maintenance, when he has been there one year, Provided he be Approved of by three Setled Ministers of the neighbouring Towns. [*Passed November 15.*]

Legislative
Records of the
Council, viii.,
502. Mass.
Archives,
xi., 291.

Mass.
Archives, xi.,
291, 303.

CHAPTER 128.

RESOLVE ALLOWING £.5, TO EDW^d SHEAF & JOHN RUSSEL FOR FERRYAGE.

AN ACCOMPT of Ferryage for Transporting of Soldiers in her Majesties Service over Charles River by Edward Sheaf & John Russel Ferry Men, Sent up from the Represent^{ves} was Read & VOTED a Concurrence with the Resolve pass'd thereon in that House; Viz,

Resolved That the Sum of Five Pounds be Allowed, & Paid out of the Publick Treasury to the Accomptants, in full of their Accompt. [*Passed November 15.*]

Legislative
Records of the
Council, viii.,
502. Mass.
Archives,
ccxlv., 62

Executive
Records of the
Council, v., 127.

CHAPTER 129.

Legislative
Records of the
Council, viii.,
503. Mass.
Archives,
cxlii., 548.

Ante, chap. 78.
Mass.
Archives,
iii., 122, 123;
cxlii., 532, 544,
545.

VOTE ACCEPTING REPORT OF ENFIELD BOUNDS. [*Passed November 17.*

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 130.

ORDER RESPECTING Y^E POWDER HOUSE IN BOSTON.

Legislative
Records of the
Council, viii.,
504. Mass.
Archives,
lxxi., 601.

Ante, chap. 29.

UPON A MEMORIAL offered by Daniel Powning Keeper of the Powder House in Boston,

Ordered That his Excellency the Governour be Desired, to Appoint, Two able, Sober, & Trusty persons, who Shall by Turns, constantly, Watch, & Guard, the Said House from Sun-Sett, to Sun Rise.

And That a small convenient Watch House be Erected, in a proper place for their Entertainment.

The charge to be paid out of the publick Treasury. [*Passed November 17.*]

CHAPTER 131.

RESOLVE ALLOWING £.21 ¹³/₁₀₀ 3, SICKNESS CHARGES ON MAJOR TYNGS SOLDIERS.

Legislative
Records of the
Council, viii.,
505.

On the Accompt of Major William Tyng for Sickness Charges on several of his Soldiers;

Resolved that the Sum of Twenty one Pounds thirteen Shillings & three Pence be allow'd & paid out of the publick Treasury to the Persons under mentioned & in that Proportion in full of the Accompt annex'd; To Wit

To Jonath: Nutting	£.5 ⁴ / ₁₀₀ -	To Mercy Oliver	£.1 ¹² / ₁₀₀ 4.
To Josiah Parker	2 ⁶ / ₁₀₀ -	To Dr Sam ^l Frost	18 ⁻ / ₁₀₀ -
To Dr Sam ^l Law	1 ¹⁰ / ₁₀₀ -	To Ephraim Bemus	1 ² / ₁₀₀ -
To Simon Crosby	1 ¹⁰ / ₁₀₀ -	To M ^{rs} Sawtell	1 ⁻ / ₁₀₀ -
To Zech ^a Hicks	7 ¹⁴ / ₁₀₀ 5.	To Mr W ^m Tyng	12 ⁻ / ₁₀₀ -
To Tho: Bateman	- ⁸ / ₁₀₀ -		

[*Passed November 17.*]

CHAPTER 132.

RESOLVE ALLOWING £.0 ⁴⁰/₁₀₀, TO JEDEDIAH DEWEY FOR A HORSE LOST IN THE SERVICE.

Legislative
Records of the
Council, viii.,
505. Mass.
Archives,
lxxi., 499.

[UPON READING] An Accompt of Jedediah Dewey of Westfield of an Horse lost in the publick Service going Post to Albany, presented by Sam^l Patridge Esq^r

Resolved That the Sum of forty Shillings be allowed & paid out of the public Treasury, in full for the horse abovementioned to Samuel Partridge Esq^r for the use of Jedediah Dewey. [*Passed November 17.*]

CHAPTER 133.

RESOLVE ALLOWING £.56¹¹ 18¹/₂, FOR SNOW SHOOS &c. IN THE COUNTY OF HAMPSHIRE.

[UPON READING] An Accompt presented by Coll: Samuel Patridge of Snow Shoos repaired & fitted up for her Majesties Service in the Militia within the County of Hampshire under his Command at 2¹/₂. per Man according to an Act of this Court, And some new Snow Shoos provided, Amounting in the Whole to Fifty six Pounds & eighteen Shillings:

Legislative
Records of the
Council, viii.,
505.

Resolved that the Whole of this Accompt be allowed & paid out of the publick Treasury to Samuel Patridge Esq^r for the Use of the Persons to whom It is due. [*Passed November 17.*]

CHAPTER 134.

RESOLVE ALLOWING £.11¹¹ 17¹¹ 4, TO SAM^{LL} PATRIDGE ESQ^R FOR SCOUT-ING FERRIAGE &c.

[UPON READING] An Accompt presented by Coll: Samuel Patridge of Scouting within the several Towns of the County of Hampshire, Ferriage & Horses &c

Legislative
Records of the
Council, viii.,
506.

Resolved that the Sum of Eleven Pounds seventeen Shillings & four Pence be allowed & paid out of the publick Treasury to Samuel Patridge Esq^r for the Persons & in the Proportions thereunder mentioned in full of the annex'd Accompt, To Wit,

To John Preston for Ferriage £.2¹¹ 7¹¹ —. To John Kellog for Ferriage £.2¹¹ 5¹¹ —.
To Sam^{ll} Smith for Ferriage £.1¹¹ 5¹¹ 6. To John Miller for Ferriage £.—¹¹ 3¹¹ 10.
To all the Scouting mention'd in this Acc^t of Springfield Men in y^e Whole £.5¹¹ 16¹¹ —.

[*Passed November 17.*]

CHAPTER 135.

RESOLVE ALLOWING £.6¹¹ 5, TO SAM^{LL} PATRIDGE ESQ^R FOR A HORSE SADDLES & OTHER THINGS LOST IN THE SERVICE.

[UPON READING] An Accompt presented by Coll: Samuel Patridge of a Horse, Saddles and other Things lost in the publick Service;

Legislative
Records of the
Council, viii.,
506. Mass.
Archives,
lxxi., 594.
Mass.
Archives,
lxxi., 595.

Resolved That the Sum of Six pounds and five shillings be Allowed, & paid out of the publick Treasury, to Sam^{ll} Partridge Esq^r for the Persons, & in the proportion mentionon the other side, in full, of the Acc^o hereunto annexed, offered by s^d Samuel Partridge Esq^r.¹

[*Passed November 17.*]

	ll	s	d
¹ To John Waite for a sadel 20 ^s .	.	.	01: 00: 00
To John Alline for a sadel: 20 ^s :	.	.	01: 00: 00
To Edward Alline for a sadel.	.	.	01: 05: 00
To Jonathan Hoite for a horse	.	.	02: 00: 00
To John Strong, or his Execut ^r or: Adminstr ^r upon the accompt of the Loss of his gun	}		01: 00: 00
	£.	6 ¹¹ 5 ¹¹	—

CHAPTER 136.

RESOLVE ALLOWING £.6, TO WILLIAMS CLESSON & WELLS FOR ARMS &c LOST IN THE SERVICE.

Legislative
Records of the
Council, viii.,
505. Mass.
Archives,
lxxi., 591.

Mass.
Archives,
lxxi., 592, 593.
Executive
Records of the
Council, v.,
128.

[UPON READING] An Accompt presented by Samuel Partridge Esq^r on Behalf of the Relations of Jonathan Williams, Matthew Clesson & John Wells slain in her Majesties Service of sundry Cloathing a Horse & Arms then lost;

Resolved That the Sum of Six Pounds be Allowed & paid out of the publick Treasury, to Sam^l Partridge Esq^r for the persons, & in the proportions mentioned on the other Side, in full of the accompt offered by y^e s^d Samuel Partridge Esq^r which is annexed.¹ [*Passed November 18.*]

CHAPTER 137.

ORDER FOR MAKING UP Y^E MUSTER ROLL OF SLOOP PHŒNIX.

Legislative
Records of the
Council, viii.,
506. Mass.
Archives,
lxiii., 141.

Ante, chap. 75.

Ordered That a muster Roll of the service in the Sloop Phœnix, be made up, & Signed by the principall officer Surviving.

That the men, in, & belonging to her, at the time of her Capture, be paid for one month after that time in consideration of their good Behaviour in the Action. [*Passed November 18.*]

CHAPTER 138.

RESOLVE ON COMM^{TEES} ACCT OF Y^E CHARGE OF PHYSICIANS & CHIRURGEONS MEDICINE &c., ALLOWING £.253¹¹ 13¹¹ 7, TO THE SAID COMM^{TEE} FOR THE PROVINCE PART.

Legislative
Records of the
Council, viii.,
507.

Ante, chap. 31.
Executive
Records of the
Council, v.,
129.

[UPON READING] An Accompt presented by Peter Sergeant Esq^r in the Name of the Committee appointed by this Court to provide Physicians & Chirurgeons for the Expedition intended to Canada, & to Agree with them for their Reward, & to supply Medicines &c for the Physicians & Chirurgeons, And Medicines by them provided accordingly, And the Wages & Cost of the same;

Resolved that the Accompt on the other Side² be Allowed, And the Sum of Two Hundred fifty three Pounds thirteen Shillings & seven Pence (that Part of the Accompt which is due from this Province) be paid out of the publick Treasury to the Committee above mentioned to discharge & pay the Accompt as it is due; And that the said Committee be desired to take Care to dispose of the Chirurgeons Chests to the best Advantage they can, & Render an Accompt thereof to this Court at their next Session. [*Passed November 18.*]

¹ To the Executr, or administrators of Jonathan Williams Deces^d for a Gun . 01 : 00 : 00
To the Executr or Administrators of Mathew Cleson Deces^d for a Gun : 20^s . 01 : 00 : 00
for a sadell Lost in the sarvis 01 : 00 : 0
for a horse Lost, viz : Killed in the sarvis 2¹¹ 02 : 00 : 0
To the Executr or Administrators of John Weells Deces^d for a Gun : 20^s . 01 : 00 : 00

² This account has not been found.

£11,6¹¹ - - -

CHAPTER 139.

RESOLVE ALLOWING £.5, TO HUGH PIKE & £.5, 4^p ANNUM.

UPON THE PETITION of Hugh Pike wounded in her Majesties Service

Resolved That the Sum of Five Pounds be Allowed, & Paid out of the publick Treasury to the Petitioner, for the year past, & five pounds 4^p annum as a Pension for three years next coming. [*Passed November 18.*]Legislative
Records of the
Council, viii.,
507. Mass.
Archives,
lxxi., 600.
Ante, chap. 36.

CHAPTER 140.

RESOLVE ALLOWING £.5, TO THOS PHILLIPS & £.5, 4^p ANNUM.

UPON THE PETITION of Thomas Phillips of Boston Black smith wounded in her Majesties Service,

Resolved That there be Allowed, & Paid out of the Publick Treasury, to the Petitioner, five Pounds for the last year, & five Pounds annually, as a Pension for three years to come. [*Passed November 18.*]Legislative
Records of the
Council, viii.,
507. Mass.
Archives,
lxxi., 564.

CHAPTER 141.

RESOLVE ALLOWING £.250, TO THE GOVERN^R.*Resolved* that the Sum of Two Hundred & fifty Pounds be allowed and paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Govern^r in Chief of this her Majesties Province for his Support in Managing the Affairs of the Govern^t. [*Passed November 18.*]Legislative
Records of the
Council, viii.,
507.
Ante, chap. 45.
Executive
Records of the
Council, v., 130.

CHAPTER 142.

RESOLVE ALLOWING £.200, TO THE COMMISSARY GEN^{LL}.*Resolved* That the Sum of Two Hundred Pounds, be Allowed, & Paid out of the Publick Treasury, to the Honorable Andrew Belcher Esq^r Commissary Generall, for his good Service, in the said office, the year past, ending the nineteenth day of August, last. [*Passed November 18.*]Legislative
Records of the
Council, viii.,
507. Mass.
Archives,
cccl., 74.
Ante, chap. 33.
Executive
Records of the
Council, v., 130.

CHAPTER 143.

RESOLVE ALLOWING £.50, TO M^R SĒCRȲ. ADDINGTON.*Resolved* That the Sum of Fifty Pounds be Allowed, & Paid out of the Publick Treasury, to the Hon^{ble} Isaac Addington Esq^r for his extraordinary Service for this Province, the year past. [*Passed November 18.*]Legislative
Records of the
Council, viii.,
508. Mass.
Archives,
lxxi., 605.
Executive
Records of the
Council, v., 130.

CHAPTER 144.

Legislative
Records of the
Council, viii.,
508.

Ante, chap. 49.
Executive
Records of the
Council, v., 130.

RESOLVE ALLOWING £.15, TO M^r JOHN WHITE.

Resolved that the Sum of Fifteen Pounds be further allowed & paid out of the publick Treasury to M^r John White Clerk of this House for his Service the Year Curr^t Ending in May next. [*Passed November 18.*]

CHAPTER 145.

MESSAGE ABOUT THE GOV^{RS} INTENDED JOURNEY TO THE PROVINCE OF MAYN. £.10, ALLOW'D THE GOV^R FOR HIS SAID JOURNEY.

Legislative
Records of the
Council, viii.,
508. Mass.
Archives,
xlviii., 408.

Executive
Records of the
Council, v., 130.

UPON A MESSAGE from his Excellency the Governour That he proposes in a short Time a Journey to the Province of Mayn upon the Affairs of this Government, And that Ten Pounds of the last Sum granted for his Expences on the like Occasion is not expended ;

Resolved That the Sum of Ten Pounds be further allowed, & Paid, out of the Publick Treasury towards the charge of his Excellency's Journey. [*Passed November 18.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FIRST DAY OF FEBRUARY, A.D. 1709.

CHAPTER 146.

RESOLVE PRESENTING £.30, TO COLL. SCHUYLER FOR HIS VOYAGE TO
G^r BRITTAİN.

THIS HOUSE being acquainted That the Hon^{ble} Coll. Peter Schuyler is about to embark for Great Britain in the Mast Fleet with four of our good Friends the Maqvas with Designs of Gen^l Service for these her Majesties Provinces;

Resolved That he be Presented out of the Publick Treasury with the Sum of Thirty Pounds. towards furnishing his Table, & Conveniences for the Said Maqvas, in their Voyage.

In Council.

Read and Concurr'd. [*Passed February 3.*]

Legislative
Records of the
Council, ix., 4.
Mass.
Archives,
xxxi., 62.

CHAPTER 147.

ORDER ON A REPORT OF THE COMMITTEE ABOUT THE WORN OUT
BILLS OF CREDIT.

IN OBSERVANCE of an Order of the Govern^r & Council dated the 25th of January past to us directed, empowering us a Committee to sort & take an Accompt of the Bills of Credit on the Province lying in the Treasury, that are worn out defaced & rendered unfit for further Use & to prepare the same to be laid before the Gen^l Assembly; We have attended the said Work, Sorted Numbered & Made up the said Bills in distinct Bundles, containing in Number, Sorts & Quantities as follows, Amounting in the Whole to the Sum of Five Thousand nine Hundred ninety seven Pounds, thirteen Shillings & seven Pence half Penny contained in seven Bundles; viz,

2433 . . . 2/ . . .	£. 243 "	6 "	1663 . . . 20/ . . .	£. 1663 "	" "
2554 . . . 2/6 . . .	£. 319 "	5 "	632 . . . 40/ . . .	£. 1264 "	" "
3479 . . . 5/ . . .	£. 869 "	15 "	42 . . . 3 ^{lb} . . .	£. 126 "	" "
2565 . . . 10/ . . .	£. 1282 "	10 "	43 . . . 5 ^{lb} . . .	£. 215 "	" "
			Parts of Bills . . .	£. 14 "	17 "

Legislative
Records of the
Council, ix., 4.
Mass.
Archives,
ci., 375.
Ante, chap. 109.
Post, chap. 149.
Executive
Records of the
Council, v., 175.

Signed JOHN FOSTER
THO: FITCH EL^m HUTCHINSON
THO: HUTCHINSON, EDW^d BROMFIELD

Read & Accepted &

Ordered That the Treasurer be Directed to bring them in to be burn'd.

[*Passed February 4.*]

CHAPTER 151.

RESOLVE ALLOWING £4, TO JN^o CUSHING ESQ^r.

Resolved that the Sum of Four Pounds be allowed & paid out of the Publick Treasury to John Cushing Esq^r to defray the Charge of the Committee for Renewing the South Line with Commiss^{rs} from Rhoad Island. [*Passed February 7.*]

Legislative
Records of the
Council, ix., 7.*Ante*, chap. 121.
Mass.
Archives, iii.,
123.

CHAPTER 152.

VOTE ELECTING SIR W^m ARSHURST AGENT FOR THIS PROVINCE.

Voted That the Hon^{ble} Sir William Ashhurst of London knight, be Elected, & Requested to Undertake the Service, of an Agent, for this Province, And That he be fully Impowered thereunto. [*Passed February 8.*]

Legislative
Records of the
Council, ix., 7.
Mass.
Archives, xx.,
127.*Post*, chap. 158.
Mass.
Archives, xx.,
121, 122;
cxviii., 63. Leg-
islative Rec-
ords of the
Council, viii.,
492, 500, 506;
ix., 8. Sewall's
Diary, ii., 273.

CHAPTER 153.

VOTE ALLOWING ACC^o OF CHARGE ABOUT THE PRESID^{TS} HOUSE FOR REPAIRS &c.

AN ACCOMPT of the Committees Disburse in the Repairs of the House appertaining to the President of Harvard College amounting to Twelve Pounds with the Representatives

VOTE thereon, Accepting & Allowing the same.
Read & Concur'd. [*Passed * February 8.*]

Legislative
Records of the
Council, ix., 8.*Ante*, chap. 66.
Post, chap. 154.
Mass.
Archives,
lviii., 274, 275;
cxxii., 343.

CHAPTER 154.

RESOLVE ALLOWING ACC^o OF CHARGE ABOUT THE PRESID^{TS} HOUSE FOR REPAIRS &c.

[UPON] A FURTHER ACCOMPT of the Repairs of the Presidents House amounting to Eleven Pounds one Shilling & two Pence approved by the Committee, Excepting a Pump of three Pounds.

Resolved That the sum of Eight Pounds, one shilling and two pence be Allowed, & Paid out of the Publick Treasury to John Leverett Esq^r upon the acc^o on the other Side,¹ to Defray the articles approv'd by the Committee. [*Passed February 8.*]

Legislative
Records of the
Council, ix., 8.
Mass.
Archives,
lviii., 274.*Ante*, chap. 153.¹ 1708 An acct of Disburse^{mts} on the Presidents Tenem^t in Cambridge.

Paid to the Glaz ^r for repairing the Glass	£1 - 16 - 5
For Stone toward repairing y ^e Cellar wall	£ - 12 - 0
To John Lecor for Labour	£ - 13 - 9
To Thomas Andrew the stone layer	£1 - 17 - 0
For Clay, Lime, brick & Tyle	£1 - 3 - 6
For boards 500 — and carting	£1 - 0 - 6
For Iron Work for the spout & Cellar doors	£0 - 6 - 0
for nails	£ - 12 - 0

1703. Payd Nath^l Adams for a New Pump £3 - 00 - 0

11 - 01 - 2

Err^{rs} Except^d J. LEVERETT.

N. The pump was Sett & made new for M^r Willard; I disburs'd y^e money & was never reimburs'd.
J. LEVERETT.

CHAPTER 155.

RESOLVE ALLOWING £.6 ²/₆, TO THO. WILLIS.

Legislative
Records of the
Council, ix., 8.
Mass.
Archives,
lxiii., 148.
Mass.
Archives,
lxiii., 149.

UPON THE PETITION of Thomas Willis of Medfield; ¹
Resolved That the Sum of Six Pounds, two Shillings, & Six pence be
Allowed, & Paid, out of the Publick Treasury, to Thomas Willis the
Petitioner, for his Servant, Peter Eeds his wages, abovesaid. [*Passed*
February 9.]

CHAPTER 156.

RESOLVE FOR PAYING 20/, PAID TO BENJA NUMPAS.

Legislative
Records of the
Council, ix., 9.

Resolved that the Commissary Gen^l pay unto Benjamin Numpas
twenty Shillings for his Gun broken & lost in the publick Service.
[*Passed February 10.*]

CHAPTER 157.

RESOLVE ALLOWING 30/, TO JOSEPH JACOBS.

Legislative
Records of the
Council, ix., 9.
Mass.
Archives,
lxxi., 478–480.
Executive
Records of the
Council, v., 167.

Resolved that the Sum of Thirty Shillings be allowed & paid out of
the Public Treasury to Joseph Jacobs Constable in Lyn for the Acc^o
annexed of Conveying French Prisoners of War to Boston. [*Passed*
February 10.]

CHAPTER 158.

DRAFT OF COMMISSION AND INSTRUCTIONS FOR THE AGENT TO BE
FAIRLY ENGROST.

Legislative
Records of the
Council, ix., 9.
Mass.
Archives, xx.,
129, 130.

THE DRAUGHT of a Commission & Instructions for the Agent chosen
by the two Houses this Session reported by the Committee appointed
yesterday :

[Commission.]

Ante, chap. 152.
Mass.
Archives, xx.,
127, 128, 133–143.
Legislative
Records of the
Council, ix.,
8 bis, 9, 10.

(Seal.) Joseph Dudley Esq^r Captain General and Governour in Chief
in & over Her Majesty's Province of the Massachusetts Bay in
New England. To ALL unto whom these presents shall come Greeting.
KNOW YEE That whereas the Great and General Court or Assembly
in their present Session have Elected and Requested S^r William Ash-
hurst of London Knight, to undertake the Service of an Agent for
this Province of the Massachusetts Bay aboves^d I do by and with the
Advice and Consent of the Council & Assembly, accordingly hereby
Constitute, appoint and fully Impower the said S^r William Ashhurst
Agent as aforesaid, to Attend Her Majesty, the Right Hon^{ble} the Lords
Commissioners of the Council for Trade and plantations, and other
proper Boards in the Affairs of this Government, According to such
Instructions as are herewith given him, And to Observe such further
Instructions as from time to time he shall receive from myselfe or the

¹ This should be Medford, as written in the petition and in the Legislative Records of the Council in the State Library.

Governour for the time being with the Council & Assembly of the said Province. GIVEN under my hand and the Common Seal of the Province aboves^d At Boston the Tenth day of February 1709. In the Eighth Year of the Reign of our Sovereign Lady Anne by the Grace of God of Great Britain France and Ireland Queen Defender of the Faith &c.

J DUDLEY

By & wth the Advice & Consent of the Council & Assembly.

Is^a ADDINGTON *Secry.*

[Instructions.]

Province of the Massach^{ts} Bay — By his Ex^{cy} Joseph Dudley Esq^r Captain General and Gov^r in Chief, with the Council & Assembly.

Instructions for the Hon^{ble} S^r William Ashhurst Kn^t In pursuance of the Commission herewth sent him, to be Agent, for the Province of the Massachusetts Bay.

You are to Attend Her Majestys the R^t Hon^{ble} the Lords Commissioners of the Council, for Trade & plantations, and others of the Ministry of State, as you may think proper & necessary, wth a Representation of the Circumstances of oure Affairs, relating to the War; which we have humbly laid before Her Majesty, by our several repeated humble Addresses

You are to set forth the great Distress, heavy Losses & Insupportable Charge that has been drawn upon Her Maj^{ty}s good subjects of this Province, for the Necessary Defence of themselves, and Her Ma^{ty}s Interests, in the long continued War, both in the late & present Reign.

And in most pressing manner humbly, to Represent the manifold Inconveniences & Dangers that this Province (more immediately) and the Adjacent Colony's are Expos'd to, by reason of the near Neighbourhood of the French in the Country's of Canada & Nova Scotia, and the great Amoyances & Depredations w^{ch} have been made upon us by them, but more Especially by their Depend^t Indians, in a Sculking, Treacherous & barbarous manner. Tho' by the favour of Almighty God, in the success of the Vigilant care, & the prudent Methods that have been taken of late Years for the security of our Frontiers, they have been much Defeated in their Designes & Enterprizes, and have not been Able to make such Impression on us, as they have formerly; but we have stood our ground, & not been driven in, Tho' our frontier is of such Vast Extent, as Demands Constant strong Guards to Defend it, which have greatly aggravated our Charge

You are to represent, That it is not to be Expected, That her Ma^{ty}s subjects can Enjoy any settled repose & quiet; as long as the french hold those Country's in t^{heir} hands, who are already become very Numerous & strong & Encreasing yearly. As also to represent the Unspeakable Advantages that will arise to the Crown, by Masts & Naval stores, Furs & Fishery, of all which there is so great Plenty there (and whereof the English Colony's are much thin'd) If those Country's were und^r Her Majesty's Obedience, as well as the Increase of Trade.

If Her Majesty in Her Royal Wisdom shall be Graciously pleased, in case the War Continue, to revive the last Years Intended Expedition for the reduction of those Country's, as we have humbly prayed, at least for the reduction of Nova Scotia & Port Royal, which lyes so near to us, and is become a perfect Dunkirk, and Nest of Robbers; Or if any Overtures, be made for Peace, & Articles of Treaty be brought forward, if y^e Rendition thereof to Her Majesty may be therein Inserted, & Insisted on (being Originally a British Colony) It will be of y^e last Consequence to these Her Ma^{ty}s Colony's, And we desire you to Labour to Obtain y^e same

You are to represent our Dutiful and Cheerful Obedience to Her Ma^{ty}s Commands, for the last Years Intended Exped^{con} our Troops standing under their Armes all the last summer and all other preparations required on our part being in readiness The Charge whereof — Amounted to Upw^{ds} of Thirty Thousand pounds, which has so Aggravated our former Debt, that it now falls nothing short of One hundred Thousand pounds

If it shall be Her Ma^{ty}s Royal Resolution, to form a new Exped^{con}, You are by all means to Endeavour to prevent any Augmentation of our last Quota for that service, which possibly some may Labour in, our Numbers the last Year, being as we Conceive beyond our Proportion wth our Neighbours, Especially Considering the manning & paying of almost all the Transports lay upon us, and at the same time we were Obligated to keep our Ordinary Guard of Six or seven hundred men on our Frontiers, & to rayse and Arme Two Vessels of War for Guarding of the Coast, which y^e other Governments share in the benefit of.

The Guards for New York Government are upon the Queens Establishment^t and the French & their Indians are Commanded by their Master to be Neutral on the side of Albany; whilst the standing Charge of this Province Communibus annis, has been little, if any thing Short of Thirty Thousand pounds *per ANNUM*

Our Extraordinary heavy Charge by reason of the pressure of the War, whilst some of our Neighbouring Governm^{ts} have felt But very little thereof, till of late; has Occasioned a Considerable Number of Family's, and young able bodied men to remove from this province into the Neighbouring Governm^{ts} to be Eased of Charge and free of Danger, by whom several Towns, have been rayseed and peopled there; Besides that for the Same reasons great Numbers have gone abroad by Sea and are Employ'd in Her Majesty's service in Europe & else where, So that we are very much Decreased.

You are to represent the Governm^t well to her Ma^{ty} and the Ministry.

And if any Complaints are or shall be made by y^e Governments of Connecticut or Rhode Island referring to Limitts or Boundaries. We Desire you to move That we may be duely Notified & serv'd wth a Copy of the Complaints, and have reasonable time Allowed, to be heard, on y^e head thereof, before any Order be made for an Alteration; And in all other matters and thing's which may be moved against us. Endeavour to prevent any Determination in our prejudice.

You are to Observe the Afore going Instructions & such others, as from time to time you shall receive from myselfe or the Gov^r for the time being wth the Council & Assembly

And by all Opportunities Advise of what shall Occur wth reference to this Governm^t, Or any thing relating to y^e Affairs thereof.¹ [*Passed February 11.*]

CHAPTER 159.

RESOLVE ALLOWING £3, TO EDW^d DURANT & 12/, TO DAN^l SMITH.

Legislative
Records of the
Council, ix., 9.

Resolved that the Sum of Three Pounds be allowed & paid out of the Public Treasury to Edward Durant & the Sum of Twelve Shillings to Daniel Smith for their Service in Travelling & Serving Warrants to summon in the Members of this House at the Beginning of this Session. [*Passed February 11.*]

¹ A letter to Ashhurst was also "digested" at the same time in the name of the Court, to be signed by the Secretary. This letter has disappeared.

CHAPTER 160.

RESOLVE ALLOWING £.16 9⁹ 9, TO Y^E OVERSEERS OF Y^E POOR IN BOSTON.

[UPON READING] An Accompt of the Overseers of the Poor of the Town of Boston of Expences for the Support & Burial of Thomas Cox the Support of Priscilla Smart from the 25th of February, 1708. to the Eleventh Curr^t being Eastern Persons driven in by the Distress of the War & other Charges on French Prisoners & a Captive amounting in the Whole to sixteen Pounds nine Shillings & nine Pence,

Resolved that the Sum of Sixteen Pounds nine Shillings & nine Pence be allowed & paid out of the Publick Treasury to the Overseers of the Poor in Boston to discharge the above said Accompt. [*Passed February 11.*]

Legislative
Records of the
Council, ix., 10.

CHAPTER 161.

RESOLVE FOR AN ALLOW^A TO CPT. ROBINSON & HARRADINE & CO. &c.

UPON READING a Petition of Cpt. Robinson of Glocester, Praying Consideration & Allowance for him self & Company for Damage in his Vessel Ammunition & Provisions, W^{ch} he supplied for them & Cpt. Harradine & Company in their Service performed by his Excellencies Order in October last in Equipping & Manning out two Sloops to attempt the Taking a Vessel supposed to be a French Privateer, forced by a sore Storm to anchor off of Nahant Point.

Resolved That there be Allowed and Paid out of the Publick Treasury to Cap^t Andrew Robinson, and Capt: John Harraden, for their Service, & Expences, Twenty Shillings to each of them.

To each man of their Companies Six Shillings, They Paying for their Provisions, & Ammunition.

To the S^d Robinson, & Harraden, for the Owners of each Sloop, Three Pounds.

And That It be Intimated to the s^d Comanders & their Companies, That this Court Remark, and well accept their Laudable forwardnesse in the service. [*Passed February 11.*]

Legislative
Records of the
Council, ix., 10.
Mass.
Archives,
lxiii., 147.

CHAPTER 162.

RESOLVE ALLOWING £.20, TO M^B SAM^{LL} HUNT MINISTER AT DARTM^O.

UPON THE PETITION of M^r Samuel Hunt Clerk :

Resolved That the Sum of Twenty Pounds be Allowed, & Paid, out of the publick Treasury to the Petitioner, if he Continue in the work of the Ministry at Dartmouth; the year next coming. [*Passed February 11.*]

Legislative
Records of the
Council, ix., 10.
Mass.
Archives,
xi., 322.

Post, chap. 175.

CHAPTER 163.

ORDER ON ELISA^a KELLUMS PETITION IN REGARD TO REAL ESTATE^b PURCHASED BY ELIHU WARDEL.

Legislative
Records of the
Council, ix., 11.
Mass.
Archives,
xvii., 244.

UPON READING a Petition of Elisabeth Kellum Widow Relict & Executrix of the last Will & Testament of Thomas Kellum of Boston Glazier Dec^d Setting forth that Elihu Wardell of Boston Carpenter & Sarah his Wife being impowered by an Order of this Court to make Sale of a certain House & Land scituate in the North-End of Boston devised to the said Sarah & her Heirs in Tail by her Grand-father Nath^l Adams, the Produce thereof to be invested in some other Reall Estate to the Satisfaction of the Justices of the Superiour Court under the same Entail, W^{ch} said House & Land, the Petitioners Husband purchased of the said Elihu Wardell at the Rate of Ninety Pounds, And hath laid out a considerable Sum in the Repairs thereof, But the said Elihu & Sarah his Wife have hitherto neglected & still do neglect to purchase an Estate under Tail as afore said Praying that they may be compelled thereto by an Order of this Court:

Ordered That the Justices of the Superiour Court, be Desired, To take care that Elihu Wardel make over his Interest, in a House & Land he has lately Purchased of Nathaniel Holms, lying at the South End of Boston, under the Same Taile mentioned in the Petition. And That the Register of Deeds, in the County of Suffolke be Directed to Admit, no Record of Sale of the S^d House, & Land, in any other manner. [*Passed February 11.*]

CHAPTER 164.

ORDER ON FREETOWN & SWANZEY PETITION AB^t THE COUNTRY ROAD OR HIGH WAY.

Legislative
Records of the
Council, ix., 11.
Mass.
Archives,
cxi., 141.
Mass.
Archives,
cxiii., 498.

UPON A PETITION offered by the Select Men & many of the Inhab^{ts} of Freetown, & Swanzeay Praying to be heard upon a Petition presented by Coll. Benjamin Church, Samuel Lynde Esq^r & Robert Durfee Proprietors of the Southerly Part of Freetown for the Alteration of the Country Road or High Way;

Ordered That the adverse Party be Served with a Copy of this Petition, & That They have a Hearing on the Second Friday of next May Sessions, to Shew reasons if any they have, why the Praier of the Petitioners Should not be Granted. [*Passed February 11.*]

CHAPTER 165.

VOTE GRANTING TO CLEM. COCK A REVIEW OF A CAUSE AT LAW.

Legislative
Records of the
Council, ix., 11.
Mass.
Archives,
xi., 865.

UPON READING a Petition of Clement Cock, Praying he may be Enabled to review a Cause heretofore tried between him & Joseph Hill Attorney to Anthony Penn, being without Remedy in the Course of the Common Law:

Voted that the Adverse Party be served with a Copy of this Petition & to shew Cause if any he have, why the Prayer thereof should not be

granted, on the first Tuesday of the Session of this Court in May next. And that the Adverse Party be strictly forbidden to make any Strip or Wast of the Timber or Trees on the said Land in the Mean Time. [*Passed February 13.*]

CHAPTER 166.

VOTE ABATING TONN^A DUTY IN FAVOUR OF CPT. JN^O HOLMAN.

A PETITION of Cpt. John Holman Commander of the Ship Johnson Galley, of London, Praying Consideration of his Service in Taking a French Privateer from Port Royal on this Coast, And that the Duty of Tunnage of the said Ship may be abated; Read the 3^d Curr^t & Recommended to the Representatives; And that House having past a Vote that the Prayer of the Petition be granted;

Voted a Concurrence therewith. [*Passed February 13.*]

Legislative
Records of the
Council, ix., 12.

Mass.
Archives,
xviii., 150.
Executive
Records of the
Council, v., 139.

CHAPTER 167.

RESOLVE ALLOWING £.39 ¹⁵/₁₀₀ 8, FOR ATTEND^A & NURSING OF SOLDIERS IN HER MAJ^{TIES} SERVICE.

THE FOLLOWING ACCOMPT of sick Soldiers in her Majesties Service, sent up from the Representatives; viz,

Legislative
Records of the
Council, ix., 12.

To Matthew Perkins for sundries as per his Acc ^o to John Door in his Sickness . . .	£.4 ¹⁵ / ₁₀₀ 7.	To Dr Palsgrave Willington as per Acc ^o of Admin ⁿ to Sever	£.9 ¹⁵ / ₁₀₀ 6.
To Thomas Smith for Nursing John Door	1 ¹⁵ / ₁₀₀ 12 ¹⁵ / ₁₀₀ -.	To Isaac Newell Charge of Burying two Men	1 ¹⁵ / ₁₀₀ 18 ¹⁵ / ₁₀₀ -.
To Hanah Mace for Nursing Dr Door	1 ¹⁵ / ₁₀₀ 8 ¹⁵ / ₁₀₀ -.	To Joseph Harris for Peter Rich	1 ¹⁵ / ₁₀₀ 5 ¹⁵ / ₁₀₀ -.
To Jn ^o Staniford for Rum & sugar for Dr	- ¹⁵ / ₁₀₀ 11 ¹⁵ / ₁₀₀ 8.	To John Grove	1 ¹⁵ / ₁₀₀ 16 ¹⁵ / ₁₀₀ -.
To Eleazar Foster to Doct ^r & Medicine for his Son . . .	- ¹⁵ / ₁₀₀ 9 ¹⁵ / ₁₀₀ 9.	To Elijah Danforth	10 ¹⁵ / ₁₀₀ 11 ¹⁵ / ₁₀₀ 2.
To Dr Jn ^o Bridgam for Door & Grove	- ¹⁵ / ₁₀₀ 17 ¹⁵ / ₁₀₀ -.	To Palsgrave Willington . .	1 ¹⁵ / ₁₀₀ 3 ¹⁵ / ₁₀₀ -.
To Amos Marret for Edw ^d Dear & Nath ^l Chapman . .	1 ¹⁵ / ₁₀₀ 10 ¹⁵ / ₁₀₀ 1.	To Lieu Coll. Goffe for Disbursements on the Sick . .	3 ¹⁵ / ₁₀₀ 5 ¹⁵ / ₁₀₀ -.

Resolved by the House that the Sum of Thirty nine Pounds fifteen Shillings & eight Pence be allowed & paid out of the Public Treasury to the several Persons & in the Proportion above mentioned:

W^{ch} Resolve being read at the Board was Concur'd. [*Passed February 14.*]

CHAPTER 168.

RESOLVE ALLOWING £.21, TO M^R JOS. MARSH AND M^R NATH^{LL} FISHER, MINISTERS.

UPON READING a Petition of M^r Joseph Marsh Minister, Praying an Order upon the Treasury for the Sum of Ten Pounds & Eleven Pounds for the Use of him self & M^r Nath^l Fisher for their Service severally in the Work of the Ministry at Tiverton the Year past;

Resolved That the sum of Twenty one pounds be allowed & Paid out of the publick Treasury to M^r Joseph Marsh the Petitioner. [*Passed February 14.*]

Legislative
Records of the
Council, ix., 13.
Mass.
Archives, xi.,
319.

Ante, chap. 126.
Mass.
Archives, xi.,
320.

CHAPTER 169.

ORDER APPOINTING A HEARING ON PETITⁿ OF JOS. EATON FOR A NEW TRIAL IN AN ACTION IN REGARD TO THE COMMON LANDS OF TOWN OF SALISBURY.

Legislative
Records of the
Council, ix., 13.
Mass.
Archives,
cxiii., 563.

Mass.
Archives,
cxiii., 556, 558–
561, 564.

UPON READING a Petition of Joseph Eaton Agent for the Freeholders Proprietors & Inhabitants of the Town of Salisbury within the County of Essex Praying that the said Proprietors of the Common Lands within the said Township of Salisbury may be Enabled by an Act of this Court to have a new Tryall of a Cause commenced & prosecuted against them by John Coy of Wenham Carpenter, the only Son & Heir of Richard Coy Dec^d at the Inferiour Court held at Newbury for the County of Essex in September 1706.

Ordered That the Pet^r cause the Adverse party to be Served with a Copy of this Petition, to shew cause, to this Court (if any he have) why the Prayer thereof should not be Granted, upon the first Tuesday of the Session in May next. [*Passed February 14.*]

CHAPTER 170.

RESOLVE ALLOWING £.6 ¹¹/₁₆ 4, TO JN^o GRIFFIN.

Legislative
Records of the
Council, ix., 14.
Mass.
Archives,
cxxi., 130.

Ante, chap. 3.
Mass.
Archives,
cxxi., 129, 130a.

[UPON READING] An Account of John Griffin for Billeting Coll. Ap-pletons Troop, when the Enemy insulted Haverhill in August 1708: & for Ferryage, & Subsisting Cpt. Lanes Troop amounting in the Whole to six Pounds, sixteen Shillings & four Pence, with a Resolve past thereon in the House of Representatives; Read & Concurred; viz,

Resolved That the Sum of Six Pounds Sixteen Shillings, & four pence, be Allowed, & Paid out of the publick Treasury to M^r James Sanders for the use of John Griffin the accomptant in full of this and the annexd acc^{ts}. [*Passed February 16.*]

CHAPTER 171.

RESOLVE FOR EMITTING £.3000, BILLS AND PROVIDING A FUND AS SECURITY.¹

Legislative
Records of the
Council, ix., 15.
Mass.
Archives, ci.,
376.

Ante, chap. 149.

Resolved That the Treasurer, be, & hereby is Directed, & Impow-ered, to Issue forth and Emit the Sum of Three Thousand Pounds, of Bills of publick credit on this Province, that are or shall be received into the Treasury, towards payment of the publick Debts of the Province, already Contracted, and for the further growing charge, for the Defence thereof, for Supplying & Subsisting of the Province Galley, Forts, Garrisons, & Forces, Raised & to be raised, and imploied within the Same, and wages arising for their service, towards Defreying the charge of the late intended Expedition to Canada (So far as belong's to this Province) and the Purchasing, & Equipping, of a Sloop for the Guard of the Coast, pursuant to a vote of this Court, Pass'd the 4th of Novem^r last; For Payment of Grants, Salaries, & Allowances,

¹ Printed in the notes to the Acts of the year 1709–10, Province Laws, i., 646; reprinted here, as important.

made and to be made, by this Court, according to Such Draughts as from time, to time, Shall be made upon him, by order of the Governour, by & with the Advice, & Consent of the Council And the s^d Bills shall Passe, out of the Treasury, at the value therein Expressed, equivalent to money & shall be Taken, & Accepted, in all publick Payments, at the advance and after the rate, of five Pounds $\frac{1}{2}$ cent. more.

And That the Duties of Impost, & Excise shall be a fund & Security, for the Repayment, & Drawing in, of the s^d Bills to the Treasury again, So far as that will reach, and as a further Fund, & security, for the same, for the Paying of Souldiers wages, and for Defreying, of the further necessary growing charge of the Province, the Defence of Her Majesty's Subjects & Interests within the Same, and support of the Government thereof, There be, & hereby is Granted unto Her Most excellent Majesty, to the ends & uses afores^d a Tax of Three Thousand Pounds, to be levied on Polls & Estates, both reall & personall within this Province, according to Such Rules & in such proportion upon the severall Towns, & Districts, -within the same as shall be agreed, & ordered, by the Great and Generall Court or Assembly of this Province at their session in May anno 1713, And shall be paid in to the Treasurer on or before the last day of May anno 1714. [*Passed February 16.*]

CHAPTER 172.

RESOLVE ALLOWING £.3 $\frac{1}{4}$ $\frac{1}{4}$ 6, TO JAMES SABIN.

[UPON READING] An Accompt of Charges of James Sabin expended on William Ives a Soldier in her Majesties Service in his Sickness & for his Funeral amounting to Four Pounds seventeen Shillings & six Pence,

Legislative
Records of the
Council, ix., 15.
Mass.
Archives,
lxxi., 576.

Resolved That the Sum of Three Pounds four shillings & Sixpence, be Allowed, & Paid out of the publick Treasury, to James Sabin the Accomptant, in full of the Acc^o on the other side. [*Passed February 16.*]

CHAPTER 173.

RESOLVE ALLOWING £.8 $\frac{1}{2}$ 8 $\frac{1}{4}$, TO W^m BEAL FOR FERRYAGE.

[UPON READING] An Accompt of William Beal Ferry Man at York, of Ferryage of Soldiers in her Majesties Service & Horses,

Resolved That the Sum of Eight Pounds, eight Shillings & four pence, be Allowed and Paid, out of the publick Treasury to Will^m Beale the Accomptant, in full for ferryage to this day. [*Passed February 16.*]

Legislative
Records of the
Council, ix., 15.
Mass.
Archives,
cexliv., 51.

CHAPTER 174.

MEM^o & ORD^r IN REGARD TO THE ESTABLISHMENT OF ANDOVER S^o PRECINCT. [*Passed February 16.*]

Legislative
Records of the
Council, ix., 16.
Mass.
Archives, xi.,
324.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 102.
Mass.
Archives, ii.,
183.

CHAPTER 175.

Legislative
Records of the
Council, ix., 17.
Mass.
Archives, xi.,
322.

Ante, chap. 162.

RESOLVE ALLOWING £.15, TO M^R SAM^{LL} HUNT.

UPON THE PETITION of M^R Samuel Hunt

Resolved That the further Sum of Fifteen Pounds be Allowed, & Paid out of the publick Treasury to the Petitioner, in full for his Service, for the Time past. [*Passed February 17.*]

Legislative
Records of the
Council, ix., 18.

Ante, chap. 103.

Executive
Records of the
Council, v.,
185. Sewall's
Letter Book,
i., 390.

Records of the
First Church
at Dorchester
in New Eng-
land, p. 222.
Love's Fast
and Thanks-
giving Days of
New England,
p. 487.

CHAPTER 176.

MESSAGE FOR A FAST.

CPT. PHIPS¹ & M^R Balch two of the Representatives brought up a Message from the House, To desire that his Excellency & the Council would please to appoint a Day in some short Time for a Publick Fast; Which the Council agreed to. [*Passed February 18.*]

CHAPTER 177.

RESOLVE ALLOWING £.30 „ 11 „ 6, TO D^R ELLIS.

Legislative
Records of the
Council, ix., 18.
Mass.
Archives,
ccxlv., 59.

Mass.
Archives,
ccxlv., 60.

[UPON READING] An Accompt of Robert Ellis Chirurgeon for Medicines & his Attendance of several Soldiers & Sea-men in her Majesties Service the Summer past & Wages for his Servant George Pemberton Chirurgeon on Board the Sloop Phoenix a Guard Vessel to the Coast Cpt Miles Commander, Amounting to Thirty Pounds, eleven Shillings & ten Pence

Resolved That the Sum of Thirty Pounds, eleven shillings & tenpence be Allowed & Paid out of the publick Treasury to Robert Ellis, upon the Acc^o within mentioned. [*Passed February 18.*]

CHAPTER 178.

RESOLVE ALLOWING £.40 „ 17 „ 8, TO ENOCH GREENLEAF.

Legislative
Records of the
Council, ix., 18.

[UPON READING] An Accompt of Enoch Greenleaf Sadler of sundry Stores supplied for the Use of the Regiments under the Command of Sir Charles Hobby & Coll. William Tailer, for the late intended Expedition to Canada,

Resolved that the Sum of Forty Pounds seventeen Shillings and eight Pence be allowed & paid out of the Public Treasury to Enoch Greenleaf the Accomptant in full of his Accompt on the other Side.

The Shot Bags & Frogs to be rendered to the Commissary General the other Stores mentioned in the Accompt to be lodged with the Pouches at Castle William. [*Passed February 18.*]

¹ "Fitch" in the Massachusetts State Library copy of Legislative Records of the Council.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1710-11.

LEGISLATIVE LIST¹

FOR

1710-11.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, Esq.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WAIT WINTHROP
JOHN HATHORNE
WILLIAM BROWN
ELISHA HUTCHINSON
SAMUEL SEWALL
ISAAC ADDINGTON
JOHN PHILLIPS
JONATHAN CORWIN
JOHN FOSTER

}
Esqrs.

PETER SERGEANT
PENN TOWNSEND
JOHN APPLETON
JOHN HIGGINSON
ANDREW BELCHER
SAMUEL PATRIDGE
EDWARD BROMFIELD
EPHRAIM HUNT
DANIEL EPPES

}
Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW
JOHN CUSHING

} Esqrs.

NATHANIEL PAYNE
JOHN OTIS

} Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Maine;

ELIAKIM HUTCHINSON, ICHABOD PLAISTED & JOHN WHEELWRIGHT, Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, Esq.

¹ See Legislative Records of the Council, ix., 21-23.

For the Province, at large :—

JOHN WALLEY & NATHANIEL NORDEN, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 31, 1710 to April 26, 1710–11.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
 Capt. Ephraim Savage,
 Capt. Thomas Hutchinson,
 Mr. James Barns.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestill Clap.
Hingham, . . . Major Samuel Thaxter.
Braintree, . . . Capt. John Mills.
Dedham, . . . Mr. John Fuller.
Medfield, . . . Mr. Henry Adams.
Weymouth, . . . Capt. Stephen French.
Milton, . . . Mr. Ephraim Tucker.
Wrentham, . . . Mr. John Blake.
Mendon, . . . Mr. James Lovett.
Brooklin, . . . Mr. John Winchester.

COUNTY OF ESSEX.

Salem, . . . Capt. Samuel Gardner,
 Capt. Jonathan Putnam.
Ipswich, . . . Col. Samuel Appleton,
 Mr. Abraham Perkins.
Newbury, . . . Mr. Cutting Noyes.
Marblehead, . . . Capt. James Smith.
Lynn, . . . Mr. John Pierson.
Andover, . . . Mr. John Aisleby.
Beverlee, . . . Mr. Samuel Balch.
Rowley, . . . Mr. Ezekiel Jewett.
Salisbury, . . . Capt. Joseph Eaton.
Haverhill, . . . Mr. John Hasseltine.
Glocester, . . . Mr. James Parsons.
Topsfield, . . . Mr. Tobijah Perkins.
Boxford, . . . Mr. John Paybody.
Wenham, . . . Mr. William Fiske.
Amesbury, . . . Mr. Moses Morrell.
Bradford, . . . Capt. Richard Kemball.

COUNTY OF MIDDLESEX.

Charlestown, . . . Capt. Nathaniel Carey.
Cambridge, . . . Capt. Thomas Oliver.
Watertown, . . . Mr. Samuel Biggalow.
Concord, . . . Mr. Benjamin Whittamore.
Woburn, . . . Mr. Joshua Sawyer.
Reading, . . . Capt. Thomas Nichols.

COUNTY OF MIDDLESEX — *Concluded.*

Sudbury, . . . Mr. Matthew Stone.
Marlboro, . . . Mr. Peter Rice.
Newtown, . . . Mr. John Ward.
Malden, . . . Mr. John Greenland.
Chelmsford, . . . Mr. Stephen Pierce.
Billerica, . . . Mr. John Sternes.
Sherburn, . . . Mr. Eleazar Holbrook.
Groton, . . . Mr. John Farnsworth.
Lancaster, . . . Mr. Josiah Whetcomb.
Framingham, . . . Capt. Joseph Buckminster.

COUNTY OF HAMPSHIRE.

Springfield, . . . Col. John Pyncheon.
Northampton, . . . Mr. Ebenezer Pomroy.
Hadley, . . . Mr. Daniel Marsh.
Enfield, . . . Mr. Samuel Terrey.

NANTUCKET.

James Coffin, Esq.

COUNTY OF PLIMOUTH.

Plimouth, . . . Major John Bradford.
Scituate, . . . Joseph Otis, Esq.
Bridgewater, . . . Mr. Joseph Hayward.
Marshfield, . . . Mr. Isaac Little.

COUNTY OF BARNSTABLE.

Barnstable, . . . Mr. Samuel Chipman.
Eastham, . . . Mr. Samuel Knowles.
Yarmouth, . . . Mr. Elisha Hall.

COUNTY OF BRISTOL.

Bristol, . . . Mr. Nathaniel Blagrove.
Taunton, . . . Thomas Leonard, Esq.
Rehoboth, . . . Mr. Timothy Ide.
Swansey, . . . Mr. Ephraim Pierce.
Dartmouth, . . . Mr. James Samson.
Little Compton, . . . Col. Benjamin Church.
Attleboro, . . . Mr. David Freeman.

COUNTY OF YORK.

York, . . . Mr. Arthur Bragdon.
Kittery, . . . Mr. Nicholas Gowen.
Wells, . . . Mr. Josiah Littlefield.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTY-FIRST DAY OF MAY, A.D. 1710.

CHAPTER 1.

ORDER FOR A COMMITTEE TO CONSIDER ABOUT THE PUBLIC STORE OF
PROVISION.

Ordered that Cpt. Thomas Oliver, Coll. Samuel Appleton, Cpt. Nathaniel Cary & M^r Daniel Marsh be a Committee to join with such as the Hon^{ble} Board shall appoint to Enquire into the State of the Public Store of Provisions & Consider what further Quantities are needful to be provided & the best Method to obtain them, And make Report to this Court with what convenient Speed may be: And Elisha Hutchinson, John Walley & Andrew Belcher Esq^{rs} are named of the Committee for the Affair above said, Elisha Hutchinson Esq^r to appoint Time & Place for the said Committees Sitting. [*Passed June 2.*¹

Legislative
Records of the
Council, ix., 26.

Post, chap. 20.
Mass.
Archives,
lxxi., 632.
Executive
Records of the
Council, v., 211,
226.

CHAPTER 2.

VOTE ON MIDDLEBORO PROPRIETORS PETITION, IN REGARD TO THE
SUPPORT OF THE MINISTRY THERE.

UPON READING yesterday a Petition of the Proprietors of that Purchase of Land lying on the Westerly Side of Namassaket River in the Township of Middleborough, which was formerly purchased of the Indians by M^r Thomas Prince, Cpt. William Bradford & Edward Grey, containing Twenty four Shares, One Share thereof granted for a Minister, Praying that Share may be granted & confirmed to M^r Peter Thacher the present settled Minister of Middleborough, in Order to a Settlement of the Thirty Acres of Land mention'd in the Petition.

Legislative
Records of the
Council, ix., 26.

Legislative
Records of the
Council, ix., 26.
Records of
Plymouth
Colony Court
Orders, v., 19.

Voted that it be recommended to the Town & Proprietors of Middleborough to make a good Provision of Land within their Township as near & accomodable as may be for their Minister & that then it be further considered & determined by this Court to save one of the two Parcels either the Thirty Acre Share or the new Provision for the Ministry forever & the other for M^r Thacher their present Minister according as the Petitioners have prayed. [*Passed June 2.*

¹ The committee reported on the third day of June, 1710, and their report was accepted by both houses of the legislature on the same day, but there is no evidence of the governor's consent to the report.

CHAPTER 3.

RESOLVE FOR A FAST.

Legislative
Records of the
Council, ix., 26.

Post, chap. 59.
Legislative
Records of the
Council, ix., 38.
Records of the
First Church
at Dorchester,
p. 222. Love's
Fast and
Thanksgiving
Days, pp. 281,
487.

UPON A MESSAGE from the House by Cpt. Savage, Cpt. Hutchinson Cpt. French & Cpt. Gardiner of the Representatives that a Publick Fast may be appointed upon Consideration of the awful Circumstances we are at present under particularly with Respect of the Drought, And that his Excellency & Council appoint a Time as near as may be for that Service.

Resolved that the said Publick Fast be observed upon Thursday the fifteenth Curr^t And a Proclamation drawn up accordingly & Advised.
[*Passed * June 2.*]

CHAPTER 4.

RESOLVE ALLOWING 18^{LB.} TO THE CAPTORS OF A CERTAIN SLOOP.

Legislative
Records of the
Council, ix., 30.
Mass.
Archives,
lxiii., 157.

THE FOLLOWING RESOLVE past in the House of Representatives;
Read & Concur'd; viz,

WHEREAS this House are informed that her Majesties Sloop Ann has lately retaken from the Enemy a Sloop that belongs to Coll. John Wanton of Rhoad-Island, For the Salvage whereof it is adjudged in the Court of Admiralty that the said Wanton pay Eighteen Pounds to the Captors;

Resolved That the S^d Sum of Eighteen Pounds be Allowed, & Paid out of the Publick Treasury, to the S^d Captors. & the S^d Wanton have his Sloop, rendred to him again. In consideration of his great forwardnesse, at diverse times to adventure himself in defence of the Coast. [*Passed June 6.*]

CHAPTER 5.

Legislative
Records of the
Council, ix., 30.
Mass.
Archives,
cxiii., 552.

ORDER ON JOS. WANTON &c PETITION ABOUT POCASSET PURCHASE.
[*Passed June 6.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 6.

Legislative
Records of the
Council, ix., 28.
Mass.
Archives,
xxx., 68.

ORDER ON SIMON POPMENOT &c INDIANS PETIT^N & COMPT^R, APPOINTING
A COMM^{TTEE} TO ENQUIRE Y^R IN & MAKE REPORT. [*Passed June 7.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 7.

RESOLVE ALLOWING £.10, TO Y^e SEL. MEN OF DUNSTABLE FOR M^r PARIS MINISTER.

Resolved That the Sum of Ten Pounds be Allowed, & Paid out of the publick Treasury to the select men of the Town of Dunstable, for the use of M^r Parris their minister, for his Service the last halfe year ending the first of April last. [*Passed June 7.*]

Legislative
Records of the
Council, ix., 31.
Mass.
Archives, xi.,
326.

Post, chap. 83.

CHAPTER 8.

RESOLVE ALLOWING £.10, TO HENRY SEGER.

UPON THE PETITION of Henry Seger, for his Charges disbursed to recover his Son from the Enemy being taken Prisoner whilst in the public Service,

Resolved That the Sum of Ten Pounds be Allowed & Paid out of the publick Treasury, to Henry Seager the Petitioner. [*Passed June 7.*]

Legislative
Records of the
Council, ix., 31.
Mass.
Archives, xi.,
lxxi., 637.

CHAPTER 9.

VOTE LAYING OUT LAND TO THE MINISTRY OF THE SOUTH PRECINCT IN ANDOVER.

PSUANT to y^e Order of y^e Generall Court to us directed Wee the Subscribers haue been at Andouer y^e 24th day of May 1710 & haue Layd out fifty four Acres of y^e Lands Scittuate in y^e Township of Andouer for y^e vse of y^e Ministry or parsonage for y^e Southerne p^{re}cinct. in Manner following :

Imp^r One peice Containing fourteene Acres (Including wthin y^e same y^e New frame sett up for y^e Ministry) for a homestead southward of y^e Meeting house. Bounded as followeth On ye westerne Corner with a great Rock, thence Running Easterly about forty Rods to a White Oak tree Mark^d. neer a highway. thenc Running Southwardly fifty & six Rods to a young White [Oak tree] Mark^t, & thenc Running westward to a young black Oak tree Mark^t & thenc running Northward on a streight line to y^e first Rock Mentioned

A second percell of Land Containing Eight Acres adjoyneing to y^e Lower End or Southerly End of y^e formentioned peice & y^e Southerly End being bounded by two white Oak trees Mark^t

A third peice of Swampy Land & upland to Make Meadow ground of : about half one Mile Southeasterly from y^e second forementioned peice, Containing twelue Acres. bounded at y^e westerly Corner neer a Cartway with ablack Oak tree Mark^t thenc Running Eastwardly about Sixty pole to a young white Oak tree Mark^t thenc Running Southerly about thirty & two pole to a great white Oak tree Mark^t, thence running westerly about Sixty pole to a smale white oak tree Mark^t, & thenc Running to y^e first bounds Mentioned.

A p^{re}cell of Land about half one Mile distant from y^e Ministry house & Meeting house : Containing twenty acres : bounded by a walnut bush on y^e Riseing ground where a smith shop stood formerly : thenc Running Northerly Seauenty Eight pole to a Smale white Oak tree Mark^t

Legislative
Records of the
Council, ix., 25.
Mass.
Archives, xi.,
326.

Mass.
Archives, xi.,
283.

thenc Running Southerly about forty pole to a black Oak tree Mark
thenc Running westerly Sixty two poles to the first bounds Mentioned.

all which pcelles of Land were layd out in y^e psence of three of y^e
Select Men of Andouer & seuerall other Inhabitants of s^d Towne who
made Noe objection ags^t y^e places, but exprest themselues Sattisfied
therewith.

FRANCIS WAINWRIGHT
STEPHEN SEWALL
NEHEMIAH JEWETT
HENRY SOMERBY

Read and accepted. [*Passed June 9.*]

CHAPTER 10.

ORDER ABOUT THE DRACUTT ADDITION. [*Passed June 9.*]

Legislative
Records of the
Council, ix., 33.

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

CHAPTER 11.

RESOLVE ALLOWING £.4, & £.3, FOR 2 YEARS TO PET. RICH.

Legislative
Records of the
Council, ix., 34.
Mass.
Archives,
lxxi., 623.

UPON THE PETITION of Peter Rich of Salem, wounded whilst in her
Majesties Service;

Resolved That the Petitioner be Allowed out of the publick Treasury,
the Sum of Four Pounds as Smart money, & Three Pounds p^y year, for
two Years next coming. [*Passed June 10.*]

CHAPTER 12.

RESOLVE ALLOWING £.3, TO EBEN^r HEDDEN.

Legislative
Records of the
Council, ix., 34.
Mass.
Archives,
lxxi., 628.
Mass.
Archives,
lxxi., 629.

UPON THE PETITION of Ebenezer Hedding for Sickness Charges whilst
in the Service

Resolved That the Sum of Three Pounds be Allowed and Paid out
of the publick Treasury to Ebenezar Hedden the Petitioner. [*Passed
June 10.*]

CHAPTER 13.

ORDER IMPOWERING ELEAN^r CHARD TO SELL LAND &c.

Legislative
Records of the
Council, ix., 35.

UPON READING a Petition of Eleanor Chard of Bridgewater Widow,
Relict & Administratrix of Caleb Chard late of the said Town Dec^d
Setting forth, That her said Husband was indebted to sundry Persons
& left very little Personal Estate, But had a Parcel of Upland of about
Twenty four Acres, which he had bargained to sell in his Life Time
towards Paying his Debts, Praying that she may be impowered to sell

the said Parcel of Land towards the Paym^t of the Debts afore said, And be Enabled to make & execute a legal Deed of Sale for the same.

Ordered that the Prayer of the Petition^r be granted. [*Passed June 12.*]

CHAPTER 14.

VOTE FOR A DISCH^A TO THE TREAS^R.

THE ACCOMPTS of M^r James Taylour, Treasurer & Receiver Gen^l of this Province, beginning the 25th Day of May 1709: & Continued unto the 31st of May 1710: Amounting unto the Sum of Seventy six Thousand three Hundred & fifteen Pounds & one Penny having been presented & laid before the House of Representatives & inspected by said House; By which it appears there was standing out on the 31st of May of the several Assessments, Ten Thousand six Hundred, ninety six Pounds one Shilling and seven Pence, As also of the Duties of Impost &c (as by Account rec^d from M^r Daniel Russel Commissioner) Eight Hundred eighty six Pounds & three Pence, to be drawn into the Treasury & further to be accounted for;

Voted that the said Accompt in the several Articles of Receipts & Payments therein mentioned, Amounting unto the Sum of Fifty two Thousand one Hundred thirty one Pounds, ten Shillings & one Penny be & hereby are approved & allowed of; And the said Treasurer is hereby discharged of the said Sum of Fifty two Thousand one Hundred, thirty one Pound, ten Shillings & one Penny. [*Passed June 13.*]

Legislative
Records of the
Council, ix., 35.

CHAPTER 15.

VOTE ON THE COMM^{TEES} REPORT ABOUT ANDOVER, NORTH PRECINCT.

[*Passed June 14.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 36.
Mass.
Archives, xi.,
327.

CHAPTER 16.

VOTE ON CPT. MORSE PETIT^N RELATING TO SURVEY OF LANDS TAKEN UP BY SAM^{LL} GOOKIN &c. [*Passed June 14.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 36.
Mass.
Archives, xlv.,
387.
Mass.
Archives, xlv.,
385.

CHAPTER 17.

RESOLVE ALLOWING £.10 „ 16 „ 6, TO M^R SAM^{LL} GALLOP.

AN ACCOMPT of Charges arising upon the Imprisonment of Phillip Commings late Constable of Dartmouth, who died in Prison, Presented by Samuel Gallop Sheriff, amounting to £.10 „ 16 „ 6: Read & Agreed with the Representatives in their Resolve pass^d thereon; viz,

Legislative
Records of the
Council, ix., 37.
Mass.
Archives, cxxlv., 69.

Resolved That the Sum of Ten Pounds and Sixteen shillings, & six pence, be Allowed & Paid out of the Publick Treasury to the S^d Samuel Gallop, the S^d sum being added to the ordinary Tax Levied on the Town of Dartmouth. [*Passed June 14.*]

CHAPTER 18.

ORDER APPOINTING PENN TOWNSEND &c TO DEMAND THE PROVINCE WEIGHTS & MEASURES OF MADAM LIDGET.

Legislative
Records of the
Council, ix., 38.

THE FOLLOWING MESSAGE in Writing from the Representatives; Read & Concur'd: viz,

This House having by a Committee made Inquiry after the Publick Standards of Brazen Weights & Measures, & found that several of the said Weights are now in the Hands of Madam Mary Lidgett, Which she refuses to deliver or to shew;

Ordered that a Message be sent up to the Board, Desiring that effectual Care may be speedily taken to recover the said Weights & that they be delivered into the Custody of the Province Treasurer,

Ordered that Penn Townsend & Edward Bromfield Esq^{rs} be desired to repair to M^{rs} Mary Lidgett & demand the Province Weights & Measures in her Hands, formerly sent out of her Majesties Exchequer for the Service of the Government. [*Passed June 14.*]

CHAPTER 19.

ORDER ALLOWING 3/9, p WEEK p MAN FOR VICTUALLING THE GARRISON AT CASTLE W^m ANNO 1710, AND A CONDITIONAL ALLOWANCE OF £.350, IN GROSS EACH HALF YEAR FOR TWO YEARS THEREAFTER.

Legislative
Records of the
Council, ix., 38.
Mass.
Archives,
lxxi., 627.

THE FOLLOWING ORDER past in the House of Representatives upon the Remonstrance of Zechariah Tuthill, Lieutenant of her Majesties Castle William relating to the Victualling of the Garrison there; Read & Concur'd: viz,

Mass.
Archives,
lxxi., 625.

Ordered That Three shillings & nine pence p week, p man, be Allowed, to the Remonstrant, for the year 1710, And That three Hundred & fifty Pounds be advanced to him, at the beginning of each halfe year, of the two years next coming if he Continues to victuall the S^d Garrison, and It Consists of the Same number, It now doth. the time to begin from the 18th Day of Dec^r last. [*Passed June 16.*]

CHAPTER 20.

ORDER DIRECTING THE COMMISSARY GEN^{ll} TO PURCHASE 150 BARRELS OF PORK AT £.3 u 15.

Legislative
Records of the
Council, ix., 38.
Ante, chap. 1.
Post, chap. 63.

Ordered that One Hundred & fifty Barrels of Pork beforthwith taken up for the Service of the Government by Warrant from his Excellency the Governour directed to the sworn Packers of Boston nominatim upon their View & Approbation at an indifferent Price for a quantity, not exceeding, Three Pounds fifteen Shillings, p Barrel; And that they render the same to the Commissary Gen^{ll} for the Publick Service

with an Accompt of the Names of the Persons owning the same, And that M^r Commissary forthwith Pay for the same as he shall be Enabled out of the Treasury. [*Passed June 16.*]

CHAPTER 21.

ORDER ABOUT THE CONTROVERSY OVER FRAMINGHAM & SHERBURN LAND. [*Passed June 16.*]

Legislative
Records of the
Council, ix., 39.
Mass.
Archives,
cxlii., 484.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 22.

RESOLVE ALLOWING £.6⁰⁰ 6, TO M^r JN^o ARMES.

THE FOLLOWING RESOLVE past in the House of Representatives in Favour of John Armes late Prisoner with the French at Canada, Read & Concur'd: viz,

Resolved That the Sum of Six Pounds, and Six Shillings, be Allowed, & paid out of the publick Treasury to the Hon^{ble} Samuel Partridge Esq^r for the use of the s^d Armes. [*Passed June 17.*]

Legislative
Records of the
Council, ix., 39.
Mass.
Archives,
lxxi., 630.
Mass.
Archives, li.,
192; lxxi., 631.
Legislative
Records of the
Council, ix., 37.

CHAPTER 23.

RESOLVE ALLOWING £.7⁰⁰ 13, TO M^r W^m GEDNEY AS CHARGE UPON F.R. PRISON^{RS}.

UPON THE ACCOMPT of M^r William Gedney, Sheriff of the County of Essex, for Charges on French Prisoners of War; Read & Concur'd: viz,

Resolved that the Sum of seven Pounds & thirteen Shillings be allowed & paid out of the Publick Treasury to William Gedney the Accomptant, And considering that the whole Benefit of all Prizes taken accrues to the Captors, the House earnestly moves that effectual Care may be taken for the Future that the Province be not burthened with any Charge by Prisoners imported. [*Passed June 17.*]

Legislative
Records of the
Council, ix., 39.

CHAPTER 24.

RESOLVE ALLOWING £.47⁰⁰ 19, TO BE P^d COLL. NOYES FOR SNOW SHOOE MEN.

Resolved That the Sum of forty Seven Pounds and nineteen Shillings, be allowed, & Paid out of the Publick Treasury, to Col: Thomas Noyes, Five Pounds, & nineteen Shillings thereof, being for Seventeen men withinnamed at 7/ ^p man, who are provided with new Snow Shoes, & Mogginsons, & the remaining forty two pounds for 420, men withinnamed, at 2/ ^p man for those formerly provided. [*Passed June 19.*]

Legislative
Records of the
Council, ix., 40.
Mass.
Archives,
lxxi., 498.
Post, chap. 46.
Mass.
Archives, li.,
179.

Legislative
Records of the
Council, ix., 40.
Mass.
Archives, xi.,
341.

CHAPTER 25.

RESOLVE APPOINTING A COMMITTEE ABT THE NEW PREC^t IN SALEM.
[*Passed June 20.*]

Post, chap. 110.
Mass.
Archives, xi.,
332-340.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 26.

RESOLVE ALLOWING £.18, TO JN^o WELCH FOR WAGES &c.

Legislative
Records of the
Council, ix., 40.
Mass.
Archives,
lxiii., 155.

UPON READING a Petition of John Welch late Master & Part Owner of the Sloop Sea-Flower, sent per this Court Express to England in the Year 1704; & had the Misfortune to be taken by the Enemy, with the Resolve past by the House of Representatives thereon; viz,

Mass.
Archives,
lxiii., 156.

Resolved That there be allowed, and Paid out of the Publick Treasury, to the Petitioner in behalfe of himself, & the rest of the late Owners of the Sloop Sea-Flower, for the Hire of the s^d sloop, the Sum of forty Eight Pounds, and for wages for the Petitioner, his Son, & servant, Robert Harloe, the Sum of Eighteen Pounds, and eighteen Shillings.¹

In Council.

Read and not Concurr'd to y^e £.48. for Hire y^e Governm^t having paid y^e full cost of y^e Vessel But Agreed to Eighteen pounds, as a Gratuity to the Petitioner for himselfe his Son and Servant.

In the House of Representatives.

Read, & Concurr'd. [*Passed June 20.*]

CHAPTER 27.

RESOLVE ALLOWING £.2,, 3, TO JN^o KELLOG: & £.2,, 10, TO JOHN PRESTON.

Legislative
Records of the
Council, ix., 41.
Mass.
Archives,
ccxlv., 68.

UPON THE ACCOMPT of John Kellog & John Preston Ferry Men in Hampshire;

Resolved That there be Allowed, & Paid out of the publick Treasury, Two Pounds three Shillings & eightpence² to John Kellog, and to John Preston the Sum of Two Pounds, & ten Shillings in full for their Acc^o of ferryage, abovementioned. [*Passed June 20.*]

CHAPTER 28.

RESOLVE ALLOWING 20^{LB.} TO BE P^D D^R BOYLSTONE.

Legislative
Records of the
Council, ix., 41.
Mass.
Archives, cv.,
60.

UPON READING the Petition of Zabdiel Boylstone Surgeon, Praying that this Court would direct & order the Payment of the Ballance of his Accompt, Which is Fifty one Pounds, fourteen Shillings & six

¹ In the copy of the Legislative Records of the Council, ix., 36, in the State Library, what follows the word "Shillings" to the end is left out, evidently by mistake.

² The resolve as preserved in Mass. Archives, ccxlv., 68, allows John Kellog £2. 3/ 8^d, but everywhere else the amount is £2. 3/ -, to wit, in Legislative Records of the Council, ix., 41, Executive Records of the Council, v., 250, and Mass. Archives, ccxii., 371.

Pence, for Cure of Mary Lyon, grievously hurt & wounded in an extraordinary Manner, being assaulted in the High Way;

Resolved. That the Sum of Twenty Pounds be allowed, and Paid, out of the publick Treasury, to the Petitioner, and what is further due to him to be paid by the Town, to which the wounded Person did belong at the time of her Hurt. [*Passed June 20.*]

Mass.
Archives, cv.,
61.

CHAPTER 29.

RESOLVE ALLOWING £.45, 3, TO SAM^{LL} TERRY &c OF ENFIELD.

UPON THE PETITION of the Select Men of Enfield as to Cost & Charges, the Inhabitants of the said Town have been put to in their Prosecution of Windsor Men;

Resolved That there be paid out of the publick Treasury to Samuel Terry, in behalfe of the Select men of Enfield, Thirteen Pounds, twelve Shillings. To S^d Terry, for him self, Eight Pounds thirteen Shillings, and to the s^d Terry, for the persons hereafter named. the Sums following. viz^t

Four Pounds eight Shillings, for Edmund Beman.

Four Pounds, Six Shillings, for John Warner.

Four Pounds eight Shillings, for John Randall.

Three Pounds, eleven Shillings, for Eben^r Jones.

Six Pounds, five Shillings, for Ebenezar, Miller. in the whole the Sum of forty five Pounds, & three shillings. [*Passed June 20.*]

Legislative
Records of the
Council, ix., 42.
Mass.
Archives,
cxlii., 543.

Legislative
Records of the
Council, ix., 31.
Mass.
Archives,
cxlii., 544, 545,
547, 549. Map
of Enfield,
Plans and
Plans, iv., 6.

CHAPTER 30.

ORDER APPOINTING A HEARING ABOUT THE REHOBOTH PETITION FOR
A NEW PRECINCT. [*Passed June 20.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 42.
Mass.
Archives, xi.,
387.
Post, chap. 138.

CHAPTER 31.

ORDER DIRECTING THE TREASURER TO PAY TO JABEZ HUNTER &c
FOUR DEBENTURES.

Ordered that Direction be given to the Treasurer to pay the four annexed Debentures, belonging to Jabez Hunter, Ambrose Boden Daniel Low & Robert Harris, If he find them true & not paid; viz, To Hunter £.2. 2. 8: To Boden, £.2. 2. 10. To Low, £.1. 3. 5: And to Harris 30/. [*Passed June 22.*]

Legislative
Records of the
Council, ix., 43.

CHAPTER 32.

ORDER FOR DELIVERING TO CHA. STOREY ESQ^r 30/, IN BILLS FOR 2
DEFACED BILLS OF CREDIT.Legislative
Records of the
Council, ix., 44.

Ordered that the Treasurer take in two defaced Bills of 20/. & 10/. to be disposed among the worn out Bills designed to be burnt & deliver to Charles Storey Esq^r or Order a 20/. & 10/. Bill in Lieu thereof. [*Passed June 22.*]

CHAPTER 33.

RESOLVE ALLOWING £.3, TO EBEN. POMROY.

Legislative
Records of the
Council, ix., 44.Executive
Records of the
Council, iv.,
561 *bis*; v., 28,
50, 51, 190.

Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to M^r Ebenezer Pomroy, It being for his Service in Assisting the Enfield Men in the Law Suits, commenced against them in the Courts at Hartford with the Colony of Connecticut. [*Passed June 22.*]

CHAPTER 34.

RESOLVE ABOUT NEWBURY WEST PRECINCT.

Legislative
Records of the
Council, ix., 44.
Mass.
Archives,
xi., 306.Mass.
Archives,
xi., 305–318.

IN THE AFFAIR of the West Precinct in Newbury relating to the place for Erecting a new Meeting House for the Publick Worship of God there, and to a Tax Levied in the said Precinct towards the Charge thereof heard before this Court the ninth of June currant.

Resolved That Pipe-Staffe hill in the West Precinct of Newbury is the most convenient place for the Establishing of a Meeting House for the whole Precinct, and was so considered by the Town in their first agreeing to Set off that Precinct.

And that a Committee of the principal Inhabitants in the s^d Precinct do forthwith attend the Rev^d m^r Belcher their present Minister & Acquaint him with the desire of this Court, That when a Meeting House shall be Erect^d there, and a convenient Dwelling House near thereto for his reception with a sutable accommodation of Land for pasturing & otherwaies he be content to remove thither.

And that a General Meeting be Summoned of the Inhabitants of the said Precinct to consider of and Vote the Levying of a Tax in equal proportion according to the Direction and Rules of the Law for defraying the charge of the aforesaid Buildings and Settlements, And make choice of three or five Assessors to Lay and apportion the same and a Collector to Gather it, and one or more Receivers to whome it is to be paid & Employed to the use aforesaid.

Resolved further That the Tax lately Levied in the s^d Precinct for the building of a Meeting House and Ministry House and all proceedings had thereupon Be and hereby is Declared to be Illegal Null and void.

And that all persons who have been Destrained for the Sum or Sums Set upon them to the said Tax, have the same restored to them again, wth y^e necessary cost and charge they have sustained thereby. [*Passed June 23.*]

CHAPTER 35.

ORDER APPOINTING HATFIELD & HADLEY HEARING. [*Passed June 23.*

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix., 45.
Mass.
Archives,
cxiii., 568.

Mass.
Archives,
cxiii., 566, 569-
579.

CHAPTER 36.

RESOLVE FOR EMITTING £.13000, BILLS AND PROVIDING A SECURITY FUND.¹

Resolved that the Treasurer be & hereby is Ordered & Impowered to Issue forth & Emitt the Sum of Thirteen Thousand Pounds of Bills of Publick Credit on this Province which are or shall be received into the Treasury towards Payment of the Publick Debts of the Province already contracted, & the further growing Charge for the Defence thereof, for the Supplying & Subsisting of the Province Galley & Sloop, Forts, Garrisons & Forces raised & to be raised & employed in the same, And Wages arising for their Service, For Payment of Grants Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made upon him by Order of the Governour, by & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein expressed Equivalent to Money, And shall be taken & Accepted in all Publick Payments at the Advance & after the Rate of Five Pounds *p* Cent. more;

Legislative
Records of the
Council, ix., 45.
Post, chap. 47.

And that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in of the said Bills to the Treasury again so far as that will reach;

And as a Further Fund & Security for the same, for the Paying of Soldiers Wages & for the Defraying of the further necessary growing Charge of the Province, the Defence of her Majesties Subjects & Interests within the same & Support of the Government thereof, There be & hereby is Granted unto her most Excellent Majesty to the Ends & Uses aforesaid a Tax of Thirteen Thousand Pounds, Two Thousand Pounds thereof to be levied on Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same, as shall be agreed on & ordered by the Great & General Court or Assembly of this Province, at their Session in May 1713: And Eleven Thousand Pounds thereof in May 1714: And Two Thousand Pounds thereof shall be paid into the Treasury on or before the last Day of May 1714: And Eleven Thousand Pounds thereof on or before the last Day of November 1714. [*Passed June 23.*]

¹ Printed in the notes to the Acts of the year 1710-11, Province Laws, i., 668; reprinted here, as important.

CHAPTER 37.

Legislative
Records of the
Council, ix., 47.

RESOLVE SETTLING THE LAND CONTROVERSY BETWEEN ATTLEBORO & REHOBOTH. [*Passed June 26.*]

Mass.
Archives, xl.,
387.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 38.

RESOLVE ALLOWING £46, 1, 5, TO Y^E COMMTEE ABOUT AGREEING WITH CHIRURGEONS &c. FOR THE LATE INTENDED EPED^N TO CANADA; TREAS^R TO DEMAND Y^E ABOVE SUM OF Y^E GOV^T OF RHOAD IS^D.

Legislative
Records of the
Council, ix., 47.

Resolved that the Sum of Forty six Pounds one Shilling & five Pence be allowed & paid out of the Publick Treasury to the Committee appointed to Agree for Physicians Chirurgeons & Medicines for the late intended Expedition to Canada to Compleat the Payment of their Accompt; And that the Treasurer be directed to demand & receive of the Government of Rhoad Island, the said Sum of Forty six Pounds, one Shilling & five Pence, Which this Province has advanced & paid on their Behalf for Medicines, Chirurgeons &c for the said Expedition. [*Passed June 26.*]

Mass.
Archives,
ccxlv., 50, 52,
53.

CHAPTER 39.

ORDER FOR LAYING OUT FREETOWN NEW HIGH WAY.

Legislative
Records of the
Council, ix., 47.
Mass.
Archives,
cxvi., 140.

IN THE AFFAIR of Freetown relating to the Upper Rhoad or Highway thrô that Town leading from Fall River Northerly to Taunton; *Ordered*, That the Upper Road or Highway proposed to be laid out to Freetown be Establish'd. And that the Court of General Sessions of the Peace be directed Effectually to proceed to the Laying of it out as the Law directs

Mass.
Archives,
cxlii., 498;
cxli., 138, 141.
Legislative
Records of the
Council, ix., 34.

And the Lower way to remain open notwithstanding. [*Passed June 27.*]

CHAPTER 40.

RESOLVE ALLOWING £4, 10, TO SAM^{LL} PATRIDGE ESQ^R &c FOR RUNNING Y^E SOUTH^{LY} BOUNDS OF ENFIELD & SUFFIELD.

Legislative
Records of the
Council, ix., 48.
Mass.
Archives,
ccxlv., 67.

UPON AN ACCOMPT of Samuel Patridge Esq^r for him self & others, Expences in Running the Southerly Bounds of Suffield & Enfield:

Resolved That the Sum of Four Pounds ten Shillings be Allowed and Paid out of the Publick Treasury, to Samuel Partridge Esq^r for himself Joseph Parsons, & Samuel Porter Esq^{rs} being Thirty Shillings for each of them, in consideration of their Service abovementioned. [*Passed June 27.*]

CHAPTER 41.

ORDER ON BENJ^A HALEWELL & FRANCES MORSE PETITION TO BE
RELIEVED FROM A BOND.

UPON READING the Petition of Benjamin Halewell & Frances Morse Administratrix of the Estate of Benjamin Morse Dec^d Praying to be relieved from a Bond wherein they became Surety for John Thwing Dec^d for Paying his Brother & Sister their Portions of the Estate of their Father John Thwing Dec^d his House & Land being forfeited & recovered upon Mortgage at the Suit of John Green of Boston Cooper;

Ordered that the Fifty Pounds¹ or so much as is justly due from the said Green upon his Account to be made up with the Judge of Probate after the said Judgement & Charges are satisfied be delivered unto the Judge of Probate within the County of Suffolk, And after the just Debts of John Thwing Mariner Dec^d be discharged, The Surplusage or remaining Part of the said Money shall be distributed in rateable Parts to & among the Children of the said John Thwing the Elder; Having Consideration of what each of them received of their Brother John Thwing in his Life Time towards their Parts; And that the said John Green & the Petitioners shall be discharged of all & all Manner of Demands from any Person or Persons upon the Estate of either of the aforesaid Thwings. [*Passed June 27.*]

Legislative
Records of the
Council, ix., 48.
Mass.
Archives,
xvii., 246, 247,
252, 254.

CHAPTER 42.

RESOLVE ALLOWING 20/, 4th WEEK TO M^R TUFT MINISTER OF TIVERTON.

Resolved that the Sum of Twenty Shillings per Week be allowed & paid out of the Public Treasury to M^r Thomas Tufts, for Half a Year, (If he continue so long) in the Work of the Ministry at Tiverton. [*Passed June 28.*]

Legislative
Records of the
Council, ix., 49.
Post, chap. 141.
Legislative
Records of the
Council, ix., 46.
Executive
Records of the
Council, v., 255.

CHAPTER 43.

ORDER ALLOWING £.100, FOR THE BUILDING WINT^R HARB^R FORT.

UPON THE COMMITTEES ACCOUNT of Disbursements for Building of Fort Mary at Winter Harbour;

Ordered that the Committee be directed to exhibit the Vouchers of the Payments made by them to this Court at their next Session, And that in the mean Time One Hundred Pounds be allowed & paid out of the Publick Treasury to the Survivours of the Committee named on the other Side; viz, Mess^{rs} John Wheelwright & Lewis Bane towards Enabling them to discharge the Debts remaining u[n]paid. [*Passed June 28.*]

Legislative
Records of the
Council, ix., 49.

¹ Green had admitted that he had "in his hands, about Fifty Pounds after satisfying the judgment" in his favor. Mass. Archives, xvii., 246.

CHAPTER 44.

RESOLVE ALLOWING £3, 4^p M^o TO A LT & 40/, TO A GUNNER OF A VESSEL OF WAR.

Legislative
Records of the
Council, ix., 50.

THE PRESENT ESTABLISHMENT for Vessels of War under Ninety Tuns, & not less than Fifty Tuns, Making no Provision for a Lieutenant but Allowing the greater Pay to the Gunner as being second in Office, Which may prove inconvenient for the Service in Case of the Captains Disability;

Resolved that the Sum of Three Pounds per Month be Allow'd to a Lieutenant & Forty Shillings per Month to a Gunner on Board the said Vessels. [*Passed June 28.*]

CHAPTER 45.

Legislative
Records of the
Council, ix., 50.
Mass.
Archives,
cxiii., 550.

ORDER ON MENDON PETITⁿ AB^t LAND FORMERLY GRANTED TO M^r RAWSON. [*Passed June 29.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 46.

RESOLVE ALLOWING £.67, TO COLL. TYNG FOR SNOW SHOOE MEN.

Legislative
Records of the
Council, ix., 50.
Ante, chap. 24.

UPON AN ACCOMPT presented by Coll. Tyng of the Snow-Shooe Men within his Regiment;

Resolved that the Sum of Sixty Seven Pounds be allowed & paid out of the Publick Treasury to Coll. Jonathan Tyng to discharge the Accompt of Snow Shooes on the other Side. [*Passed June 29.*]

CHAPTER 47.

VOTE ON THE COMM^{TEES} REPORT ABOUT METHODS TO PREVENT COUNTERFEITING BILLS OF CREDIT. £.25000, BILLS TO BE IMPRINTED.¹

Legislative
Records of the
Council, ix., 51.
Mass.
Archives, ci.,
377.

IN OBSERVANCE of the Order of Court appointing us a Committee to Consider of and propose what may more effectually prevent the Counterfeiting of the Publick Bills of Credit.

Ante, chap. 36.
Post, chap. 60.
Mass.
Archives, ci.,
378.

We are humbly of Opinion That the great Plate upon which there is two Twenty Shilling bills, That the said two Twenty Shilling bills be altered on the Plate. Viz^t one to be made. 50^s and the other four Shillings.

That there be no red Serowle in the body of the bills contained on the small plate.

That Twenty five Thousand pounds in Bills be forthwth Imprinted and delivered to the Treasurer, to Remain in his hands until Order from this Court to Emit them.

ELISHA HUTCHINSON, p^r ord^r of y^e Co^mitte

¹ Printed in the note to the Act of November 4, 1710, Province Laws, i., 667; reprinted here, as important.

In the House of Representatives Read & Accepted. & That one Thousand Pounds, be made upon the Small Plate, Twenty Thousand Pounds, upon the middle plate, & four Thousand Pounds, upon the great Plate.

And That the Committee, that made the last Bills be desired to make these, as Soon as may be, & upon the same Terms.

In Council

Read and Concurr'd. [*Passed June 29.*]

CHAPTER 48.

RESOLVE ALLOWING £.250, TO HIS EXC^y THE GOV^R.

Resolved That the Sum of Two Hundred and Fifty Pounds be Allowed, and Paid out of the Publick Treasury, to his Excellency JOSEPH DUDLEY Esq^r Capt: General, & Governour in chief, of this Her Majesty's Province, for his Support in Managing the Affaires, of the Government. [*Passed June 29.*]

Legislative
Records of the
Council, ix., 51.
Mass.
Archives,
cccl., 76.

Post, chap. 121.

CHAPTER 49.

RESOLVE ALLOWING £.40, A PIECE TO WAIT WINTHROP ESQ^R &c
JUDGES OF Y^E SUP^R COURT.

Resolved That there be Allowed, and Paid out of the Publick Treasury, to the Hon^{ble} Wait Winthrop Samuel Sewall, John Hathorne, Jon^a Corwin, & John Walley Esq^{rs} to each of them the Sum of Forty Pounds for their Service as Judges of the Superiour Court of Judicature the Year currant, ending the 10th of July next. [*Passed June 29.*]

Legislative
Records of the
Council, ix., 51.
Mass.
Archives,
cccl., 76.

CHAPTER 50.

RESOLVE ALLOWING £.225, TO M^R JA. TAYLOUR TREAS^R.

Resolved That the Sum of Two Hundred and Twenty five Pounds be Allowed, & Paid out of the publick Treasury to M^r James Taylor, Treasurer of this Province, for his Service in the Said office the year past. [*Passed June 29.*]

Legislative
Records of the
Council, ix., 51.
Mass.
Archives,
cccl., 77.

CHAPTER 51.

RESOLVE ALLOWING £.15, TO M^R JOHN WHITE.

Resolved That the Sum of Fifteen Pounds be Allowed, & Paid out of the Publick Treasury to John White, Clerk of this House. in part for his Service the year currant. [*Passed June 29.*]

Legislative
Records of the
Council, ix., 51.
Mass.
Archives,
cccl., 75.

Post, chap. 124.

CHAPTER 52.

RESOLVE ALLOWING £.30, TO JAMES MAXWELL.

Legislative
Records of the
Council, ix., 52.
Mass.
Archives,
cccl., 77.

Resolved That the Sum of Thirty Pounds be Allowed, & Paid out of the publick Treasury to M^r James Maxwell Doorkeeper to his Excellency the Governour & this Court, for his Service the year past, ending the eighth Day of the present month. [*Passed June 29.*]

CHAPTER 53.

ORDER ON THE PETITION OF NATH^l KANE ABOUT LAND OF HIS TAKEN FOR A HIGHWAY.

Legislative
Records of the
Council, ix., 52.

UPON READING a Petition of Nathaniel Kane of Kittery Praying Consideration for a Common Road or High Way laid through this Land from the Bank Ferry, to the Ferry at York, Occasioning him extraordinary Charge in Fencing;

Ordered that the Two next Justices cause the Sheriff to summon a Jury to enquire into the Value of the Land taken from the Petitioner for the said High Way or Road, & the Charge & Damage occasioned thereby, And Report the same to this Court at their next Session, Consideration then to be had how the same shall be paid. [*Passed June 29.*]

CHAPTER 54.

RESOLVE ALLOWING 50/, TO SAM^l BLOGGETT.

Legislative
Records of the
Council, ix., 52.
Mass.
Archives,
lxxl., 636.

UPON READING a Petition of Samuel Blogget of Woburn, Praying Payment for his Disbursements on his Son William Blogget taken sick whilst in her Majesties Service the year past & removed to his House;

Executive
Records of the
Council, v., 251.

Resolved That the Sum of Fifty Shillings be Allowed, & Paid out of the publick Treasury to Samuel Bloggett the Petitioner. [*Passed June 30.*]

CHAPTER 55.

ORDER ON COLL. CHURCH'S PETITION TO BE RELIEVED FROM AN ASSESSMENT.

Legislative
Records of the
Council, ix., 52.
Mass.
Archives,
xxxl., 73.

UPON READING a Petition of Coll. Benjamin Church complaining, that in the Year 1708: the Assessors of Freetown set a Rate of Forty odd Shillings upon him for Land & Stock improved by the Indians, neither Occupied nor Leased by him self, And he having no Stock in the Town, Of which he informed the Assessors, But they would not remitt the same, Whereupon he applied to the Sessions, but could not obtain Relief, And then made his Appeal to the Sup^r Court, who refused to hear it as Coram non Judice;

Mass.
Archives,
xxxl., 74.

Ordered That a Hearing, of the case mentioned in the above Petition, be Granted, in the Nature of an Appeal, before the Superiour Court of Judicature, at their Session, in the County of Bristoll, in Sept^r next. [*Passed June 30.*]

CHAPTER 56.

ELIZA: KELLUMS PETITION & ORDER THEREON.

UPON READING the Petition of Elisabeth Kellum Execut^x of the last Will & Testament of Thomas Kellum Glazier Dec^d Setting forth that Elihu Wardell of Boston Carpenter & Sarah his Wife being impowered by an Order of this Court at their Sesion begun the twenty sixth of October 1704: to make Sale of a House & Land in Boston devised to the said Sarah & her Heirs in Tail by her Grand-father Nathaniel Adams Dec^d And to invest the Produce thereof in some other Reall Estate to the Satisfaction of the Justices of the Superiour Court under the same Entail; The said House & Land the Petitioners Husband purchased in his Life Time, & hath expended considerable Sums upon the Repairs thereof; But the said Elihu Wardel hath neglected & still doth neglect to perform the Condition of the aforesaid Order; viz, To invest the Proceeds of the aforesaid Sale in other Real Estate, under the afore said Tail;

Legislative
Records of the
Council, ix., 53.

Mass.
Archives,
xvii., 243.
Legislative
Records of the
Council, ix., 11.

Ordered that all the Housing & Lands of the said Elihu Wardel w^{ch} he is now siezed of in his own Right be & hereby are made & declared subject to the aforesaid Tail, Not to be by him alienated or disposed of, until he have performed the afore recited Order in Manner as is thereby directed And that no Deed or Deeds to be by him made or executed for the Passing, Setling or Conveying the same otherwise than under Tail as aforesaid; viz, To the Heirs of the said Sarah, shall be deemed or held good in Law or be put on Record;

And the Petitioner Elisabeth Kellum is allowed to imprint this Order to Make it Publick, & to file it in the Registers Offices of the respective Counties. [*Passed June 30.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE NINETEENTH DAY OF JULY, A.D. 1710.

CHAPTER 57.

ORDER ADJOURNING ALL HEARINGS.

Legislative
Records of the
Council, ix., 57.
Mass.
Archives,
xlviii., 417.

Ordered, That all Hearings and other matters put over and continued from the last Session of this Court, to have day in this present Session, be further Adjourned and continued unto the next Session for the Ordinary Occasions of the Province; To be attended and proceeded in on the same day of the weeke and of the Session whereto they respectively now stand. [*Passed July 22.*]

CHAPTER 58.

COMMITTEES REPORT CONCERNING STEPS TO BE TAKEN IN THE EXPEDITION.¹

Legislative
Records of the
Council, ix., 59.
Mass.
Archives,
lxxi., 648.

Post, chap. 67.
Legislative
Records of the
Council, ix., 58.

Y^E COMITTEE in answer to y^e aboves^d Order² having Waited upon y^e Hon^{ble} Coll^l Nicholson received this answer from him. That if we should raise y^e Same number of men we did y^e Last year with Sufficient Transports & provisions for two months is what answers her Majesties demands from us at present. And The Comittee are here-upon humbly of Opinion, That y^e same number of men be raised in this Province as was the Last year & on y^e same termes, that Suitable provision be raised for that number for two months & a sufficient number of Transports be Speedily Secured for y^e Same.

In y^e name & by Order of the Comittee

ELISHA HUTCHINSON

In Council.

Read and accepted.

In the House of Representatives

Read and Accepted, with the Explanation, & Addition annexed [viz.]

As to the Number of Men, That It Exceed not Nine-Hundred (including both English, & Indians) besides Commission Officers.

And as to the Terms.

That the Commission Officers, Sent by Her Majesty's especial Favour, from Great Britain, to Serve in the present Expedition, be

¹ In the Legislative Records of the Council, ix., 61, the following note is appended to this chapter: "And Wait Winthrop John Foster & Andrew Belcher Esq^{rs} with the Secretary were desired to wait on the Hon^{ble} Gen^l Nicholson with the aforewritten Vote, & to request to know of him what is further necessary to be considered by the Court."

² The joint order appointing this committee. — Mass. Archives, lxxi., 647.

Disposed not more than one to a Company, that they may be the more Serviceable in Disciplining the Forces.

And if it Shall So Please God to Prosper Her Maj^{ties} Armes for the Reducing of Port-Royall, or the Expedition thither be Determined, all the Forces, of this Province, with their Officers, Shall be Allowed, to Return immediately, for the Defence of the Province now extreemly Insulted by the Indians throughout our long extended Frontier. except Such as Shall be Volunteers, for any after Service of Garrisoning or otherwise.

That for the Encouragement of Volunteers His Excellency be Requested, to Issue forth a Proclamation, that all Such Shall have a Coat, of Thirty Shillings value given them, one months wages Advanc'd, & Paid to them before their Embarquing. And be exempted from all Impresses, for three years next coming (although not from ordinary Musters or Duty of the Militia, in the respective Counties, whereto they belong, And none but Such as voluntarily Offer, & enlist themselves, for the Service, without being Detached, to be Intituled, or have claim to these Privileges of Coats, Advance Wages, & Exemption from Impresses.

And That all Such as were in the Service, the last year, be particularly & especially Invited, to come, & Take up the Arms they then had, & Inlist for the present Expedition.

That His Excellency be Desired to give Direction to the Commanders, of the Severall Regiments in the Province, to Muster them, in whole, or in parts, & Communicate to them the above incouragements to Offer themselves voluntarily to the Service.

That the warrants for the Draught of men, Contain the whole Number, the Volunteers, to be accounted part thereof, And that a Direction be therein Inserted, to the commanding Officers, of the Militia, to Proceed in their Draught, in the most eqvall indifferent manner that may be.

That the Names of all the men, both English, & Indians & the Towns, they belong to, which Shall be inlisted or Impressed, as well Such as Shall upon any account be Dismiss'd, as those that Shall Proceed in the Expedition Be Returned, by the Commanding Officer of every Company of Militia, to his Colonel, or first Field Officer, & by him Laid before his Excellency & this Court at their next Session after the Departure of the Forces.

And That the Indians Wages, be paid to Such persons as the Govern^r & Council Shall Direct, to be Imploied for Supply of their Families, in their absence.

In Council.

Read and Agreed to. [*Passed July 27.*]

CHAPTER 59.

MESS^{rs} ABOUT A THANKS-GIVING.

A MESSAGE from the Representatives by Maj^r Leonard & M^r Noyes, That a Day of Publick Thanksgiving might speedily be appointed for the signal Mercy of God in Answer to our late Prayers for Rain in a Time of Extream Drought, & wonderfully reviving the languishing Fruits; As also for the Arrival of her Maj^{ties} Forces from Great Britain:

A Proclamation advised to be drawn up accordingly. [*Passed * July 27.*]

Legislative
Records of the
Council, ix., 61.

Ante, chap. 3.
Post, chap. 79.
Legislative
Records of the
Council, ix., 53.
Love's
Fast and
Thanksgiving
Days, pp. 281,
487. Sewall's
Diary, ii., 285.
Records of the
First Church at
Dorchester,
p. 222. Revd
Jos. Green's
Diary, Essex
Institute Col-
lection, x., 87.

CHAPTER 60.

ORDER FOR IMPRINTING £.15000, BILLS OF CREDIT AND PROVIDING A FUND AS SECURITY.¹

Legislative
Records of the
Council, ix., 62.
Mass.
Archives, ci.,
379.

Ante, chap. 47.
Post, chap. 108.

Resolved That the Sum of Fifteen Thousand Pounds of Bills, of Publick Credit on this Province be forthwith made by the Committee, last appointed, to make Such Bills, & upon the Same Plates, with the Bills, ordered to be made the last Session, to be by them Delivered to the Treasurer, taking his receipt for the Same, the Committee to be paid for their Service, as for the Bills they last made.

And the Treasurer, is hereby Directed, & Impowered to Issue forth, & Emitt the S^d Sum of Fifteen Thousand Pounds towards Payment, of the Publick Debts of the Province, already contracted, and the furthur growing charge for the Defence thereof, for Supplying & Subsisting, of the Province Galley, & Sloop, Forts, Garrisons, & Forces, Raised & to be Raised & Imploied within the Same, & wages arising for their Service, towards defreying the charge of the present intended Expedition, to Port-Royall (belonging to this Province) for Payment of Grants, Salaries, & Allowances, made, & to be made, by this Court, according to Such Draughts, as from time, to time, Shall be made upon him, by warrant or order of the Governour, by & with the advice, & Consent of the Councill, And the said Bills Shall Passe out of the Treasury, at the value therein expressed, equivalent, to money, & Shall be Taken, & accepted, in all publick payments at the advance, & after the rate of five Pounds *p* cent: more.

And Whereas this Court, when They have Ordered the Emission, & Payment of Bills, of publick Credit out of the Treasury, have for the most part, not only Granted a Tax eqvall to the Sum of Bills emitted: But for the better Supporting the credit of the S^d Bills, have also Ordered, & Assigned, the Duties of Impost, & Excise, to be a Fund for the Repayment, & Drawing in, of the s^d Bills into the Treasury again, whereby (as Appear's by the Treasurer's acc^{ts}) The Sum of the Taxes, outStanding, as Funds to Draw in the S^d Bills, exceeds the Sum of the Bills outstanding, & not paid into the Treasury, the Sum of Eleven Thousand Pounds.

It is hereby *Ordered* That the Said Eleven Thousand Pounds together with the Duties of Impost, & Excise, Shall be a Fund, & Security, for the Repayment, & Drawing in of the Said Fifteen Thousand Pounds of Bills to the Treasury again. [*Passed July 28.*]

CHAPTER 61.

ORDER APPOINTING A COMM^{TEE} FOR Y^E PROCURING TRANSPORTS.

Legislative
Records of the
Council, ix., 62.
Mass.
Archives,
lxiii., 163.

Post, chap. 81.

Ordered That Capt: Nathaniel Carey, Captⁿ Charles Chambers, & M^r Samuel Greenwood, be a Com^{tee} with the advice of the Commissary Generall, To Take up, Apprize, & Fitt out, a Sufficient number, of vessells, the most convenient, that can be had, for Transporting the Forces of this Province, in the intended Expedition to Port-Royall. [*Passed July 28.*]

¹ Printed in the notes to the Acts of the year 1710–11, Province Laws, i., 668; reprinted here, as important.

CHAPTER 62.

ORDER APPOINTING A COMMITTEE FOR YE PROVIDING COATS FOR YE SOLDIERS.

Ordered That Mr James Barnes, Mr Nathaniel Blagrove, & Maj^r Thaxter, be a Committee, to Take care for the Providing of Coats, for the Souldiers of the intended Expedition, pursuant to the vote of this Court this day. [*Passed July 28.*]

Legislative
Records of the
Council, ix., 62.
Mass.
Archives,
lxxi., 652.

Post, chap. 66.

CHAPTER 63.

ORDER THAT 12 WEEKS PROVISION BE PROVIDED FOR YE FORCES.

THE FOLLOWING ORDER pass'd in the House of Representatives;
Read & Concur'd; viz,

It being intimated to the House that the Hon^{ble} the Council of War have determined that two Months Provisions is not sufficient for the Forces for the intended Expedition advising that Twelve Weeks Provision is necessary;

Ordered That Twelve weeks Provisions be furnished, for the men belonging to this Province in the s^d Expedition. [*Passed July 28.*]

Legislative
Records of the
Council, ix., 63.
Mass.
Archives,
lxxi., 650.

Ante, chap. 20.
Post, chap. 65.

Mass.
Archives,
lxiii., 164.

CHAPTER 64.

RESOLVE ALLOWING £.20, TO CPT. SAVAGE &c. FOR ROOTS & GREENS FOR REFRESHM^t OF YE MARINES.

Resolved That the Sum of Twenty Pounds be Allowed, & Paid out of the Publick Treasury to Capt: Ephraim Savage. & Mr James Barnes. to Purchase Roots, & Greens, for the Refreshment of the marines Sent over by Her Majesty, for the intended Expedition. [*Passed July 28.*]

Legislative
Records of the
Council, ix., 63.
Mass.
Archives,
lxiii., 164.

CHAPTER 65.

ORDER DIRECTING THE COMMISSARY GEN^{LL} TO PROCURE PORK FOR YE EXPEDITION.

UPON A REPRESENTATION made by the Commissary General of the Scarcity of Pork produced by this Countrey so that a Sufficiency for the intended Expedition can not be had;

Ordered that Mr Commissary General be directed to procure so much Pork as he may of the Produce of this Countrey, & what further is necessary of the Produce of Carolina & Virginia. [*Passed July 28.*]

Legislative
Records of the
Council, ix., 63.
Ante, chap. 63.

CHAPTER 66.

ORDER THAT AS MANY COATS AS OFFICERS & SOLDIERS BE PROVIDED.

Legislative
Records of the
Council, ix., 63.
Mass.
Archives,
lxxi., 654.

Ante, chap. 62.
Post, chap. 70.

Ordered That It be an Instruction to the Committee appointed, to Take care to Provide Coats for the Souldiers of the intended Expedition, That They Provide as many, as there shall be Officers, and Souldiers, in the Pay of this Province. [*Passed July 28.*]

CHAPTER 67.

VOTE IN EXPLANATION OF Y^E VOTE REFERRING TO THE EXPEDITION TO PORT ROYAL.

Legislative
Records of the
Council, ix., 64.
Mass.
Archives,
lxxi., 655.

Ante, chap. 58.
Post, chap. 78.
Legislative
Records of the
Council, ix., 59,
63.

WHEREAS this Court, have at this Session Pass'd Severall Votes, for the forwarding, & Assisting, of an Expedition against Her Maj^{ties} Enemies at Port Royall

It is hereby Expressed, & Explained, That thereby is Intended, & understood, not only the Fort, & Town of Port Royall, but other the French Settlements in Nova Scotia. [*Passed July 29.*]

CHAPTER 68.

ORDER ALLOWING THE CONCORD COURT ADJOURNM^T.

Legislative
Records of the
Council, ix., 64.
Mass.
Archives,
xlvi., 416.

WHEREAS the Inferiour Court of Common Pleas & Court of Gen^l Sessions of the Peace establish'd by Law to be holden at Concord for the County of Middlesex on the second Tuesday of June last by Reason of the Present Publick Occasions of the Government, after Opening of the said Courts at Concord & dispatching the necessary Affairs of the Inferiour Court & Sessions there, Adjourned the Court of Sessions of the Peace for Granting of Licences to Charles town within the said County;

Ordered That the said Adjournm^t pro hac Vice be deemed and held good, and the s^d Court to sit at Charlestown upon Adjournm^t for this time for y^e granting of Licences any Law or Usage to the contrary notwithstanding. [*Passed July 29.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SECOND DAY OF AUGUST, A.D. 1710.

CHAPTER 69.

RESOLVE AB^T BILLETING SOLDIERS IN PRIVATE FAMILIES.

UPON THE CONSIDERATION of the Dearness of Provisions at this Season, & that it is hoped to be but for a short Time, And the Necessity of the Soldiers for the present Expedition being Quartered near together & Accomodated with convenient Lodgings for the Preservation of their Health.

Legislative
Records of the
Council, ix., 66.
Mass.
Archives,
lxxi., 694.

Resolved That for this extraordinary Occasion, & on the aforementioned Consideration, There be Allowed eight pence a day *ᵖ* man, for Billet, during their Lodging in the Towns, from the time of their Generall Muster, & being drawn out of their Counties.

And That *pro hæc vice*, They be Quartered on private Families, at the Direction, of the Select men, not exceeding Two to a family (without the Consent of the Master, or Mistresse, of Such Family) as well as in publick licensd Houses, any Law, or Usage to the contrary notwithstanding. [*Passed August 23.*]

CHAPTER 70.

ORDER THAT COATS BE GIVEN OUT TO Y^E SOLDIERS.

Ordered That the Coats, made by order of this Court, for the Clothing of the Troops of this Province, in the intended Expedition to Port Royall, be forthwith Delivered to them by the Committee Appointed to Provide them according to the Direction they Shall receive, from his Excellen[c]y the Govern^r. [*Passed August 23.*]

Legislative
Records of the
Council, ix., 66.
Mass.
Archives,
lxxi., 696.

Ante, chap. 66.
Post, chap. 73.

CHAPTER 71.

ORDER STATING THE WAGES OF THE CHIEF COMMISSARY IN THE
EXPEDITION.

Ordered That Eight Pounds *ᵖ* month be Allowed to the chief Commissary, in the Pay of this Province. for the intended Expedition to Port Royall; & four Pounds *ᵖ* month, to his Assistant. [*Passed August 23.*]

Legislative
Records of the
Council, ix., 66.
Mass.
Archives,
lxxi., 695.

CHAPTER 72.

ORDER FOR PROVIDING 2 CHIRURGEONS & 2 ASSISTANTS FOR YE
EXPED^N.

Legislative
Records of the
Council, ix., 67.
Mass.
Archives,
lxxi., 699.

Ordered That two Chyrurgions, & two Assistants for each of them, be Provided for the Troops of this Province, in the present Expedition, to be paid as those the last year. [*Passed August 24.*]

CHAPTER 73.

ORDER FOR PROVIDING 200 GREEN CAPS.

Legislative
Records of the
Council, ix., 67.
Mass.
Archives,
lxxi., 700.

Ante, chap. 70.
Post, chap. 74.

Ordered That Two Hundred green Caps be Provided, by the Committee appointed to Provide Coats for the Souldiers, for the use of those that shall be Sent out to Scout, in the present Expedition. [*Passed August 24.*]

CHAPTER 74.

VOTE THAT CAPS BELTS &c BE PROVIDED FOR THE GRENADIERS, AND
ADJUTANTS FOR THREE REGIMENTS APPOINTED.

Boston 24. Aug 1710.

Legislative
Records of the
Council, ix., 67.
Mass.
Archives,
lxxi., 702.

Ante, chap. 73.
Post, chap. 75.
Legislative
Records of the
Council, ix., 68.

Gentlemen

The Three Colonels of the Regiments are now with mee and pray that they may have each an Agitant who may have Lieutenants pay, as in all the service in Europe,

s^r charles Hobby prays capps & belts for his grenadiers
& Colonel Walton wants this province proportion of slings & belts for his company of Grenadiers amounting to thirteen.
which I Desire may be provided & allowed.

To the House of representatives

J DUDLEY

In Council.

Read and Recommended.

In the House of Representatives.

Read & *Agreed*, excepting the Belts, which are Supposed to be provided last year. the Caps to be provided by the Comittee that Provided the souldiers coats.

[In Council]

Read and Concurr'd. [*Passed August 24.*]

CHAPTER 75.

RESOLVE ALLOWING £.600, TO YE COMM^{TEE} THAT PROVIDED THE COATS.

Legislative
Records of the
Council, ix., 67.
Mass.
Archives,
lxxi., 704.

Ante, chap. 74.
Post, chap. 95.
Mass.
Archives,
cxvii., 370.
Executive
Records of the
Council, v., 277.

Resolved That the Sum of Six Hundred Pounds, be Allowed, & Paid out of the publick Treasury, to the Comittee that Provided the Coats for the forces, towards Defreying that charge. [*Passed * August 24.*]

CHAPTER 76.

ORDER FOR A PRESENT TO Y^E GEN^{LL}.

Ordered That a Pipe of Wine, Twenty Sheep, five shoats, and an hundred fowls be Presented to the Hon^{ble} Generall Nicholson for his Table in the intended Expedition. [*Passed August 24.*]

Legislative
Records of the
Council, ix., 67.
Mass.
Archives,
lxxi., 703.

Post, chap. 109.

CHAPTER 77.

VOTE ABOUT A VESSEL TO GUARD THE FISHERY.

INASMUCH as the Province Galley is taken off from Guarding the Fishery by her Maj^{ties} Command to assist in the present Expedition ;

Ordered That his Excellency & the Hon^{ble} the Council of War be Desired to order Some Suitable vessel, from the Expedition frequently to visit & Guard the Fishery at Cape-Sables, which may also be very serviceable to the Fleet for Intelligence. [*Passed August 24.*]

Legislative
Records of the
Council, ix., 68.
Mass.
Archives,
lxxii., 168.

Executive
Records of the
Council, v., 269.

CHAPTER 78.

ORD^E ABOUT THE PROPORTION OF CHARGES TO BE BORN BY THE SEV^{LL} GOVERNMENTS.

THE FOLLOWING ORD^E pass'd in y^e House of Repres^{ves} Read & Concur'd ; viz,

Some Votes of the Hon^{ble} the Council of War having been laid before this House, shewing a Necessity that some Vessels be taken up for the Transportation of Stores of War in the intended Expedition to Port-Royal, the Charge thereof to be born by the sev^{ll} Governm^{ts} of the Massachusetts Connecticut, Rhoad Island & New Hampshire in Proportion to their Quotas of Men directed by her Majesty in the said Expedition, Accompanied with a Letter from his Excellency the Govern^r urging the same

Legislative
Records of the
Council, ix., 68.
Mass.
Archives,
lxxi., 701.

Ante, chap. 67.
Post, chap. 106.

Ordered That the S^d Proportion, of the charge of Such vessels, be born, & Paid by this Province.

And inasmuch, as the S^d vessels, to Serve the present occasion must necessarily, be Provided, & Taken up within this Government, what & So much of the charge, for their fitting, victualling, & Service, Shall be advanced & paid out of the Treasury of this Province, over, & above our Proportion as afores^d to be Demanded of & reimbursed by Her Maj^{ties} Severall other Governments, as is abovementioned. together with their Proportion of the charge for the Building of Barracks, for the Entertainment of Her Majesty's Troops from Great Britain, & for the frait of 130 Tuns or more of warlike stores, Shipp'd on board the Transports of this Province, and all other charge of the like nature that has accrued, which His Excellency is Desired to move the Hon^{ble} Generall Nicholson, & Council of War, to Signify to the S^d Governments, that it is their Duty to perform accordingly. [*Passed August 24.*]

Legislative
Records of the
Council, ix., 68.
Executive
Records of the
Council, v., 282.

Ante, chap. 59.
Post, chap. 84.
Records of the
First Church
at Dorchester,
p. 222. Love's
Fast and
Thanksgiving
Days, pp. 281,
487. Rev^d
Joseph Green's
Diary in Essex
Institute Col-
lections, x., 87.

CHAPTER 79.

VOTE ADVISING THE PROCLAMATION OF A FAST.

Advised That agreeable to the motion of the Assembly His Excellency emit a Proclamation for a General Fast, to be observed on Thursday y^e 28th Currant to pray for a blessing on Her Majestys armes in Europe, and on the present expedition, setting forth from hence to Port Royal &c and a Draught was made accordingly read & agreed to. [*Passed* * *September 12.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE ELEVENTH DAY OF OCTOBER, A.D. 1710.

CHAPTER 80.

ORDER APPOINTING A COMMITTEE UPON YE LOAF BREAD BAKERS PETITION.

Ordered that Elisha Hutchinson Penn Townsend & John Walley Esq^{rs} with such of the Representatives as shall be appointed by that House be a Committee to hear the Petitioners (in a Petition presented by the Loaf Bread Bakers within the Town of Boston referring to the Assize of Bread) & to make Report to this Court thereupon ;

Agreed to by the Representatives & Cpt. Thomas Oliver M^r W^m Denison Cpt. Sam^l Gardner & M^r Eben^r Pomroy be appointed by the House to join in the Affair above mentioned. [*Passed October 12.*]

Legislative
Records of the
Council, ix., 70.
Mass.
Archives, lix.,
248.

CHAPTER 81.

RESOLVE ALLOWING £.184 „ 10 „ 6, TO THE COMMITTEE FOR TRANSPORTS
ACC^o.

AN ACCOMPT of Mess^{rs} Nath^l Carey, Charles Chambers & Sam^l Greenwood the Committee appointed to take up & see to the Fitting out the sev^l Transports Store & Hospital Ships & Vessels employed in the present Expedition to Port Royal, Containing the Charge of the sev^l Trades Men Bills for Joynery Work, Clapboards Nails, Masons Work Ballast &c & for their own Time & Trouble, Amounting in the Whole to One Hundred eighty four Pounds ten Shillings & six Pence ; With the Order pass'd thereon in the House of Representatives ; Read & Concur'd ; viz,

Resolved That the Sum of One Hundred, Eighty four Pounds, & ten Shillings, 6^d be Allowed, & Paid out of the Publick Treasury, to the Committee mentioned on the other Side : to Discharge their acc^o. [*Passed October 12.*]

Legislative
Records of the
Council, ix., 71.
Mass.
Archives, lix.,
169.
Ante, chap. 61.
Mass.
Archives,
lxiii., 170 ;
lxxi., 732, 737,
743, 744.

CHAPTER 82.

ORDER APPOINTING A HEARING ON THE PETITION OF CPT. TALBOT
OF TAUNTON. [*Passed October 27.*]

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 72.

CHAPTER 83.

RESOLVE ALLOWING £.10, TO M^R PARIS MINISTER.

Legislative
Records of the
Council, ix., 72.
Mass.
Archives, xi.,
353.

Ante, chap. 7.
Post, chap. 135.

Resolved That the Sum of Ten Pounds, be Allowed & Paid, out of the Publick Treasury, to M^r Stephen Pierce, for the use of M^r Parris, Minister of Dunstable, for his Service the last halfe year, ending the first Day of the present month. [*Passed October 27.*]

CHAPTER 84.

THANKS-GIVING APPOINTED.

Legislative
Records of the
Council, ix., 73.

Ante, chap. 79.
Post, chap. 133.
Records of the
First Church
at Dorchester,
p. 222. Sewall's
Diary, ii., 289.
Love's
Fast and
Thanksgiving
Days of New
England, pp.
281, 487.

HIS EXCELLENCY proposed that a Gen^l Thanks-Giving be appointed on Thursday the sixteenth of November next, W^{ch} the Council advised to; And a Message being sent thereupon to the Representatives by John Foster & Penn Townsend Esq^{rs} & Agreed to by that House by a Message by Cpt. Gardner & M^r Barns. [*Passed * October 27.*]

CHAPTER 85.

RESOLVE ALLOWING £.10, TO JN^O PRENTICE.

Legislative
Records of the
Council, ix., 73.
Mass.
Archives,
lxxi., 643.

Mass.
Archives,
lxxi., 642.

UPON READING a Petition of John Prentice of Newtown Disabled by Wounds received from the Enemy whilst in the Service, PRAYING for some Relief

Resolved That the Sum of Ten Pounds be allowed, & Paid, out of the Publick Treasury, to John Prentice the Petitioner in full for his losse of Time, & Smart money. [*Passed October 27.*]

CHAPTER 86.

RESOLVE ALLOWING £.6, 1, 10, TO ELISABETH BOND.

Legislative
Records of the
Council, ix., 73.

UPON AN ACCOMPT of Elisabeth Bond for Expences on several sick Soldiers under the Command of Maj^r William Tyng for the last Years intended Expedition to Canada; viz,

Resolved that the Sum of Six Pounds one Shilling & ten Pence be allow'd & paid out of the Publick Treasury to Elisabeth Bond the Accountant to discharge the Accompt on the other Side.¹ [*Passed October 27.*]

CHAPTER 87.

ORDER ESTABLISHING THE PRECINCT OF BYFIELD. [*Passed October 30.*]

Legislative
Records of the
Council, ix., 74.
Mass.
Archives, xi.,
345.

Mass.
Archives, xi.,
345, 346.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

¹ This account has not been found in Mass. Archives.

CHAPTER 88.

RESOLVE ALLOWING £3,,8, TO JOSEPH WILSON SAILOR.

UPON THE PETITION of Joseph Wilson Sailor on Board the Sloop Sea-Flower John Welch Commander, Express Vessel for England Anno 1704: Viz,

Resolved That the Sum of Three Pounds, & eight Shillings, be Allowed, & Paid, out of the publick Treasury, to Joseph Wilson the Petitioner in full for his Service, mentioned in his Petition. [*Passed October 31.*]

Legislative
Records of the
Council, ix., 75.
Mass.
Archives,
lxiii., 172.

Mass.
Archives,
lxiii., 171.

CHAPTER 89.

ORDER ADJOURNING HEARING CONCERNING NORTH PART OF DEDHAM. [*Passed October 31.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 75.
Mass.
Archives,
cxiii., 624.

Mass.
Archives,
cxiii., 620–626.

CHAPTER 90.

ORDER GRANTING MESS^{RS} MATHER & COTTONS PETITION. [*Passed October 31.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 75.
Mass.
Archives, xi.,
331.

Mass.
Archives, xi.,
328 bis, 329 bis.

CHAPTER 91.

RESOLVE ALLOWING £6, TO JN^O LEVERET ESQ^R.

UPON A MEMORIAL presented by John Leveret Esq^r for Damage done on his Island by Barracks set up there the last Year for Lodging the Marines from Great Britain;

Resolved That the Sum of Six Pounds be allowed & Paid out of the Publick Treasury to John Leverett Esq^r in full for the Damage mentioned in his memoriall abovementioned. [*Passed November 1.*]

Legislative
Records of the
Council, ix., 76.
Mass.
Archives,
lxxi., 608.

CHAPTER 92.

ORDER GRANTING BROOKLYN 2 YEARS TIME FOR BUILDING A MEETING HOUSE &c.

UPON READING a Petition of the Select Men of Brooklyn, Praying a further Time of one Year or two to be granted them for the Building a Meeting House & Settling a Minister,

Ordered That the Prayer of this Petition be Granted & Two Years further Space be Granted them. [*Passed November 3.*]

Legislative
Records of the
Council, ix., 77.
Mass.
Archives, xi.,
366.

CHAPTER 93.

RESOLVE ALLOWING £.12, TO M^R JOHN AVERY, AND £.10, TO M^R AARON PORTER.

Legislative
Records of the
Council, ix., 77.
Mass.
Archives, xi.,
367.

Resolved That there be Allowed, & Paid out of the Publick Treasury, to M^r John Avery, the Sum of Twelve Pounds, and to M^r Aaron Porter, the sum of Ten Pounds, in full for their Service as Chaplains, at Deerfield, the last year, & this, in the time the reverend M^r John Williams was attending upon the Expeditions. [*Passed November 3.*]

CHAPTER 94.

ORDER APPOINTING A COMM^{TEE} FOR M^R BRADSTREETS ACCOMPT.

Legislative
Records of the
Council, ix., 78.
Mass.
Archives,
lxxi., 749.

UPON THE PETITION of Humphrey Bradstreet Chirurgeon;

Ordered That M^r Secretary, M^r Speaker & Doct^r John Perkins be Appointed a Committee, to whom this Petition, & acc^{ts} therein are referred, to Examine, & Consider the Same, & make Report what they think just, & reasonable, to be paid thereon. [*Passed November 4.*]

Post, chap. 144.
Mass.
Archives,
lxxi., 606, 607.

CHAPTER 95.

RESOLVE ALLOWING £.782¹¹ 2¹¹ 3, TO JA. BARNES &c. COMM^{TEE} FOR CLOTHING.

Legislative
Records of the
Council, ix., 78.

[UPON READING] An Accompt of Mess^{rs} James Barns, Nath^l Blagrove & Sam^l Thaxter the Comm^{tee} for Clothing the Soldiers in the late Expedition for Port-Royal, Viz, Coats, Trimming & Making & their own Service amounting in y^e Whole to Thirteen Hundred eighty nine Pounds ten Shillings; Whereof Six Hundred & seven Pounds eight Shillings & six Pence is already paid; Rests Seven Hundred eighty two Pounds two Shillings & three Pence:

Voted That the Sum of Seven Hundred eighty two Pounds two Shillings & three Pence be allowed & paid out of the Publick Treasury to the Committee afore named to Discharge their Accompt. [*Passed November 4.*¹]

Ante, chap. 75.
Post, chap. 96.
Mass.
Archives,
cxxii., 370.
Executive
Records of the
Council, v., 295.

CHAPTER 96.

VOTE ALLOWING £.30¹¹ 13¹¹ 7, TO Y^E S^D COMM^{TEE} FOR CAPS.

Legislative
Records of the
Council, ix., 78.

THE AFORE-NAMED COMM^{TEE} their Accompt for Granadier & Indian Caps, amounting to Thirty Pounds thirteen Shillings & seven Pence, Pass'd by the Repres^{ves} & Ordered to be paid out of the Treasury:
Voted a Concurrence. [*Passed November 4.*]

Ante, chap. 95.
Post, chap. 97.

¹ The calculation in this chapter is not correct. Besides, there is a discrepancy between this chapter and the Treasurer's accounts as to the total of the committee's bill, the payment on account and the final payment. See marginal citations.

CHAPTER 97.

RESOLVE ALLOWING 30/, STOR^A TO M^R JAMES BARNES.

A RESOLVE pass'd by the Repres^{ves} That M^r James Barnes be allowed & paid out of the Treasury Thirty Shillings for Storage of Straw & Beds for the Expedition: Read & Agreed. [*Passed November 4.*]

Legislative
Records of the
Council, ix., 78.
Ante, chap. 96.

CHAPTER 98.

RESOLVE ALLOWING £.5, TO M^R PALSGRAVE ALCOCK.

A RESOLVE pass'd by the Repres^{ves} That Palsgrave Alcock be allow'd & paid out of the Public Treasury the Sum of Five Pounds for Entertaining & Nursing Elnathán Wood a sick Soldier: Read & Agreed to. [*Passed November 4.*]

Legislative
Records of the
Council, ix., 78.

CHAPTER 99.

VOTE ALLOWING £.14, TO EDW^D RICHARDSON.

AN ACCOMPT of Edward Richardson of Newbury for Entertainm^t of Peter Rich a wounded Soldier:

In the House of Representatives

Read &

Resolved That the Sum of Twenty Two Pounds & thirteen Shillings, be Allowed, & Paid, out of y^e publick Treasury, to Edw^d Richardson the Petitioner, in full of this his accompt.

In Council.

Read and *Voted* a concurrence for payment of fourteen pounds, and no more, In full of the Accompt.

In the House of Representatives

Read & Agreed to. [*Passed November 7.*]

Legislative
Records of the
Council, ix., 77.
Mass.
Archives,
lxxi., 614.

Mass.
Archives,
lxxi., 609–615.

CHAPTER 100.

RESOLVE ALLOWING £.20, TO THE WIDOW OF D^R SWAN DEC^P.

UPON A MEMORIAL offered in Favour of M^r Thomas Swan late Chirurgion to the Garrison at her Majesties Castle William Dec^a

Resolved That the Sum of Twenty Pounds be Allowed, & Paid, out of the Publick Treasury to M^{rs} Prudence Swan, Widow, relict, of the within mentiond M^r Tho^s Swan, in consideration of his extraordinary charge, & Pains, in the service.

And that for the Seven years, he Served as Chyrurgion at the Castle, he Provided at his own charge, the Stores of Refreshment, for the Sick, & wounded, which at other Garrisons, are Provided, at the publick charge. [*Passed November 7.*]

Legislative
Records of the
Council, ix., 79.
Mass.
Archives,
lxxi., 747.

Mass.
Archives,
lxxi., 746.

CHAPTER 101.

RESOLVE ALLOWING £.5., 15, TO W^m SHEAF & NICH^o LAWRENCE
FERRY MEN.

Legislative
Records of the
Council, ix., 79.
Mass.
Archives,
cexliv., 72.

UPON AN ACCOMPT of William Sheaf & Nicholas Lawrence Ferry Men between Boston & Charles-Town for Transporting the Troops raised for the Expedition to Port-Royal several Times backward & forward :

Mass.
Archives,
cxxi., 153.

Resolved That the Sum of Five Pounds, fifteen shilling & three pence, be Allowed, & Paid out of the Publick Treasury to Will^m Sheafe, & Nicolas Lawrence, the Accomptants in full of their Accompt on the other Side. [*Passed November 7.*]

CHAPTER 102.

VOTE DESIRING M^r BERNARD TO DECLARE, IN WHICH OF THE TWO
ANDOVER CONGREGATIONS HE WILL OFFICIATE.

Legislative
Records of the
Council, ix., 79.
Mass.
Archives, xi.,
352.

UPON READING a Petition of Joseph Chandler, Francis Dane & Nehemiah Abbot Agents for the South Precinct in Andover Setting forth that upon the Division of the said Town of Andover by Order of this Court into two Parishes or Precincts the Rev^d M^r Bernard Minister of the said Town was allowed his Choice which of the said Congregations he would officiate in, W^{ch} he hath not yet declared; PRAYING that he may be put thereon in Order to their Settlement.

Mass.
Archives, xi.,
351.

Voted That the Rev^d M^r Bernard be Desired to Declare his Election which of the s^d Congregations to officiate in. on or before the Eleventh day of Decemb^r next or that y^e Pet^rs be then at Liberty to provide for themselves. [*Passed November 8.*]

CHAPTER 103.

VOTE EXEMPTING EDW^d MILLS SCHOOL MASTER FROM PUBLIC TAXES.

Legislative
Records of the
Council, ix., 80.
Mass.
Archives,
lviii., 279.

IN ANSWER to the Petition of Edward Mills of Boston,

Voted a Concurrence with the Representatives; viz,

In Consideration that the Petitioner has for many Years kept a Considerable Grammar School,

Mass.
Archives,
lviii., 278.

Ordered That he be Exempted from publick Taxes, in manner, as Grammar Schoolmasters are by Law. [*Passed November 8.*]

CHAPTER 104.

Legislative
Records of the
Council, ix., 80.
Mass.
Archives,
lxxi., 751.

RESOLVE ALLOWING £.30, TO L^t COLL. BALLANTINE: & £.5, TO EACH
SOLD^r Y^t LOST HIS CLOATHS £.5, TO EACH WIDOW.

IN ANSWER to a Memorial presented by Lieu. Coll. John Ballantine in Behalf of him self & Company shipwreck'd on the late Expedition to Port Royal;

Resolved That there be Allowed, & Paid out of the publick Treasury To L^t Col: John Ballantine the Sum of Thirty Pounds.

The Sum of Five Pounds, to each Souldier that escap'd with his Life, but lost his cloths, & Arms.

And the like Sum of Five Pounds, to each of the widows mentioned, in the S^d Ballantines List, exhibited with his memoriall. [*Passed November 8.*]

Mass.
Archives,
lxxi., 752–755.

CHAPTER 105.

RESOLVE ALLOWING £.10, TOWARDS MENDING Y^e MILL DAM IN BROOK-FIELD &c.

IN ANSWER to the Petition of several of the Inhabitants of Brook-field;

In the House of Representatives.

Resolved That the Sum of Ten Pounds be allowed & Paid out of the publick Treasury, towards the mending of the mill-Dam, mentioned in the Petition.

And That Such of the Inhabitants as are by the enemy Driven from their Houses, & livings, be admitted into the Service as Souldiers.

Sent up for Concurrence.

In Council

Read and Concurr'd, So that no more of the Inhabitants be admitted into the Service than such as are capable ther'of and his Ex^{ty} shall please to Entertain.

In the House of Representatives

Agreed. [*Passed November 8.*]

Legislative
Records of the
Council, ix., 81.
Mass.
Archives,
cxlii., 582.

CHAPTER 106.

ORDER ON THE COMMITTEES REPORT ABOUT THE STORES &c: LEFT AT ANNAPOLIS ROYAL.

THE REPORT of the Committee appointed yesterday to wait on the Hon^{ble} Gen^l Nicholson with the Accompt offered by Arthur Jeffry Commissary for the Expedition entered on the said Accompt: Viz,

Pursuant to the aforegoing Order we have waited on the Hon^{ble} Gen^l Nicholson, And he adviseth that the Particulars within mentioned be drawn into an Accompt & delivered unto him him,¹ so as to carry the same with him, And he will as he hath Opportunity lay the same before her Majesty, & use his Endeavour to procure a Recompence for the same.

Legislative
Records of the
Council, ix., 83.

Ante, chap. 78.
Legislative
Records of the
Council, ix., 82.

(Sign'd) Penn Townsend by Order of the Committee.

Read & *Ordered* that M^r Commissary Gen^l be desired to frame an Accompt accordingly; As also a summary Accompt of the whole Charge of the Expedition for the End afore said. [*Passed November 9.*]

¹ *Sic.*

CHAPTER 107.

ORDER THAT THE RECORDS OF THE LATE COLONY OF NEW PLIM^o
BE KEPT BY THE CLERK OF Y^e INF^r COURT IN PLIM^o.

Legislative
Records of the
Council, ix., 84.
Mass.
Archives,
lxxxviii., 391.

Mass.
Archives,
lxxxviii., 392.

UPON READING a Memorial offered by Nathaniel Payne, John Cushing & John Otis Esq^{rs} of the Council, & Justices of the Peace in the several Counties of Plimouth Barnstable & Bristol, That the ancient Records of the Colony of New Plimouth remaining in the Hands of M^r Samuel Sprague late Secretary of the said Colony until his Death, which happened some Time in September last, may be kept & lodged in the Town of Plimouth the Head Town of the said Colony, and where they were wont to be kept; And that some suitable Person may be appointed & sworn for the safe Keeping the said Records accordingly, And Granting Copies as there may be Occasion.

Ordered That the Bookes, Records and files of the General Court of the late Colony of New-Plymouth, be committed to the Custody of the Clerk of the Inferiour Court of the County of Plymouth for the time being he dwelling in Plymouth a perfect Schedule thereof being made, with an Indent to be passed for the same to the Justices of the said Court. And that the Clerk be Impowered to Transcribe and attest Copy's of the said Records, for any that shall desire the same upon paying the Establish'd Fees. [*Passed November 10.*]

CHAPTER 108.

RESOLVE DIRECTING THE EMISSION OF £.31000, & THE ESTABLISHMENT
OF A FUND OF £.16000.

Legislative
Records of the
Council, ix., 85.
Mass.
Archives, ci.,
381.

Ante, chap. 60.
Post, chap. 126.

WHEREAS this Court, at their Session in June last Ordered the Imprinting of Twenty five Thousand Pounds, of Bills of credit, on this Province, to be Delivered to the Treasurer, & remain in his hands, untill order. from this Court to Emit them, which are now near finished.

Resolved That thee Treasurer, is hereby Ordered, & Impowered, to Issue forth, & Emit Fifteen Thousand Pounds, of the S^d Bills, in exchange of the Twenty Shillings Bills, dated anno 1702, agreeable to an Act of this Court, passd the present session, for that end, if the s^d Bills to be exchanged, Shall amount to the S^d Sum;

AND the Treasurer, is hereby further Ordered, and Impowered, to Issue forth, & Emit, the remaining Ten Thousand Pounds of Bills of publick credit, together with Six Thousand Pounds more, of Bills of publick Credit that are, or Shall be received into the Treasury, towards Payment of the Publick Debts of the Province already Contracted, & the further growing charge, for the Defence thereof, for Supplying, & Subsisting of the Province Galley, & Sloop, Forts, Garrisons, & forces, raised, & to be raised, & imployed within the Same, & wages arising for their Service, towards defreying the charges, of the late Expedition to Port Royall (belonging to this Province) for Payment of Grants Salaries and Allowances, made, & to be made by this Court, according to Such Draughts, as from time to time, Shall be made upon him, by warrant, or order, of the Governour, by and with the advice, & Consent, of the Councill, & the Said Bills, Shall Passe out of the Treasury, at the value therein expressed equivalent to money, & Shall be taken, & accepted in all publick Payments, at the advance, & after the rate of five Pounds *p* cent. more.

And that the Duties of Impost, & Excise, Shall be a fund & Security, for the Repayment. & Drawing in of the s^d Bills to the Treasury again, So far as that will reach, and as a further fund, & Security for the Same, for the Paying of Souldiers wages, & for the Defreying of the further necessary growing charge of the Province, the defence of Her Maj^{ties} Subjects & Interests within the Same, & Support of the Governm^t thereof There be, & hereby is Granted, unto Her most excellent Majesty, to the ends & uses afores^d a Tax of Sixteen Thousand Pounds, Eleven Thousand Pounds thereof to be levied, on Polls, & Estates, both reall & personall Within this Province, according to Such Rules, & in Such Proportion, upon the severall Towns & Districts within the Same, as Shall be agreed on, & ordered by the Great, & Generall Court, or Assembly of this Province at their session in May 1714, & five Thousand Pounds thereof in May 1715. And Eleven Thousand Pounds thereof, Shall be paid in, to the Treasurer on or before the last day of may 1715, & five Thousand Pounds thereof on or before the last day of nov^r 1715. [*Passed November 10.*¹]

CHAPTER 109.

ORDER FOR A PRESENT TO Y^E HON^{BLE} GEN^{LL} NICHOLSON FOR HIS VOY^A HOMEW^D.

Ordered That a Pipe of Wine, a Pipe of Cider, Twenty Sheep, Ten Shoats, & one Hundred fowls, be Presented to the Hon^{ble} Generall Nicholson, for his Table, in his intended voyage, & Put on board her Majesty's Ship, on which he Imbarks. [*Passed November 10.*]

Legislative
Records of the
Council, ix., 86.
Mass.
Archives,
lxxi., 760.

Ante, chap. 76.

CHAPTER 110.

REPORT OF Y^E COMM^{TEE} FOR A PRECINCT IN SALEM. [*Passed November 10.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix., 86.
Mass.
Archives, xi.,
354.

Ante, chap. 25.

Mass.
Archives, xi.,
332–340,
355–365;
cclxxxv., 64.

Legislative
Records of the
Council, ix., 30,
39, 76, 77 *bis*.
Sewall's
Diary, ii., 289
bis.

CHAPTER 111.

VOTE EXPLAINING THE POWER OF SALE OF LAND GRANTED TO M^R ROWLAND COTTON.

UPON THE MOTION of M^r Rowland Cotton for Explanation of the Order of this Court of November 8: 1709, Impowering him to make Sale of the House & Land of his Brother M^r John Cotton late of Yarmouth Dec^d

Voted, That the whole of the Homestead of the dece^d both upland and Meadow be intended and included in the above order for Sale. [*Passed November 10.*]

Legislative
Records of the
Council, ix., 87.
Mass.
Archives, xi.,
305.

Mass.
Archives, xi.,
344.

¹ Printed in Province Laws, i., 668, note (c); reprinted here, as important.

In the State Library copy of Legislative Records of the Council, ix., 75, the entry of the subject matter of this chapter is erroneous in two items. The date is miscalled the 11th Nov. instead of the 10th, and the first amount given is £20000 instead of £25000. See also Province Laws, i., 668, note (c). The citation there given as p. 55 should be p. 75, vol. ix. of Council Records (State Library copy). For correction see *Idem*, p. 45, Secretary's copy of Legislative Records of the Council, ix., 51, 85, and Mass. Archives, ci., 377, 381.

CHAPTER 112.

RESOLVE ALLOWING £.3, 1, 6, TO JN^o KNIGHT FOR FERRYAGE.Legislative
Records of the
Council, ix., 87.

UPON THE ACCOMPT of John Knight for Ferryage of sundry Men & Horses in the Service from Bloody Point to Kittery in the Years, 1706, 1707, 8, & 9:

Resolved that the Sum of Three Pounds one Shilling & six Pence be Allowed & paid out of the Publick Treasury to John Knight the Accomptant in full of his Accompt on the other Side. [*Passed November 10.*]

Legislative
Records of the
Council, ix., 87.
Mass.
Archives, xx.,
149.Post, chap. 118.
Mass.Archives, xx.,
144, 151; xlviii.,
418; li., 207;
cxxxii., 371.Legislative
Records of the
Council, ix., 56,
77, 82, 83, 87, 88.
Executive
Records of the
Council, v., 298.
Sewall's
Diary, li., 283,
284 bis, 288 bis.

CHAPTER 113.

VOTE CONSTITUTING M^r JER. DUMMER AGENT FOR THIS PROVINCE.

Voted That the S^d M^r Jeremiah Dummer be Constituted the Agent of this Province to Negotiate the Affairs thereof at White Hall, according to the Instructions, which from time, to time, Shall be given him by this Court. [*Passed November 10.*]

CHAPTER 114.

ORDER ADJOURNING TAUNTON S^o PART HEARING. [*Passed November 10.*]Legislative
Records of the
Council, ix., 88.

Post, chap. 136.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 115.

ORDER ON REPORT OF THE JUSTICES REFERRING TO THE ESTATE OF JN^o JOHNSON DEC^d.Legislative
Records of the
Council, ix., 81.
Mass.
Archives, xl.,
939.

Essexs Att her Maj^{ties} Inferiour Court of pleas holden at Ipswich March 28th 1710. annoq. RR^{as} Annæ Nunc Magnæ Brittanïæ &c^a nono

IN PURSUANCE of an order of the Generall Court on. 18th June: 1709 wherein the Petition of Thomas Johnson of Haverhill was referred to us to Examine into the Matters Set forth in Said Petition and to Make report thereon

Wee did at Salem Court December 1709 Send for the parties Concerned who Appeared But for want of the Petition we could Not then proceed but Continued it till Ipswich Court March 1710 where we Considered the matter and having Examined the Parties at Salem Evidences and papers Concerning it

Wee find that on June. 11th 1696. John Johnson Deceased made his will and therein gave his Son Timothy Considerable on Condition &c^a and Made him Executors Said Timothy Dying in about. 3. months after could not performe the Condition

Wee find by Evidence that about 1704. John Johnson made a Deed of gift and gave his Grandson Thomas Johnson his house and Land on Condition therein Made and that Said Johnson did in the yeare 1708 Make a new will and gave Thomas Therein about 30^{li}

Wee find by a paper given to us by Henry Franklin John Johnson Thomas Flint and James Sanders in behalfe of Thomas Johnson that they think it very vnreasonable that the first will Should Stand. Timothly not haveing performed the Condition and had given him more in value then his Share of the whole Estate would Amount to

Wee humbly offer our Opinion that the whole Estate may be Considered as Intestate and that the Grandson who Served and assisted his Grandfather for three or four yeares may be Considered to have a Single Share with the Children all which is Humbly Submitted :

Read and accepted, and *Ordered* That the Estate of the above-named John Johnson be distributed according to Law, as an intestate Estate. Sent down for approbation.

In the House of Representatives

Read & Approved. [*Passed November 11.*]

CHAPTER 116.

ORDER GRANTING THE PETITION OF CPT. JOS: EATON.

UPON READING a Petition of Joseph Eaton Agent for the Freeholders. Proprietors & Inhabitants of the Town of Salisbury within the County of Essex, Praying on the Behalf of the said Proprietors that they may be Enabled by an Act or Order of this Court to have the Hearing of a Cause before the Superiour Court of Judicature tryed at the Inferiour Court of Common Pleas held at Newbury in the County of Essex on the last Tuesday in September 1706: between John Coy of Wenham &c Plaintiff V^s the said Proprietors Defend^{ts} Who by their Agent appealed to the next Superiour Court of Judicature, Where the said Appeal was dismiss'd, for an Omission, or Lapse in the Direction of the Reasons of Appeal, & have no Way open in the Course of the Common Law to bring on y^e same again.

Ordered. That the Prayer of the Petition be Granted, and that the S^d Proprietors be and hereby are allowed and Enabled to have a Hearing of the cause commenced ag^t them by John Coy of Wenham Carpenter only surviving Son and heir of Richard Coy (said to be) formerly of Salisbury dece^d In the Inferio^r Court for the County of Essex held at Newbury on the 24th of Sept^r 1706. and the Judgment given thereupon mentioned in the Petition, before the Superiour Court of Judicature to be hol[de]n¹ at Ipswich the third Tuesday of May next, in nature of an Appeal; And the Judges of the s^d Superio^r Court are hereby Impowred and Directed to receive, Hear and Try the said cause accordingly; And to allow an amendment of the Lapse or mistake in the Title or Directions of their Reasons of Appeale from the Judgem^t of the afores^d Inferiour Court formerly given in: So that the Appell^{ts} cause the adverse party to be notifyed of this Tryal, by a Summons issuing out of the Clerks Office of the Superiour Court, and Served upon him fourteen day's at least before the Courts sitting; and in case they obtain Judgement upon this Tryal, no former Costs be Allowed them. [*Passed November 11.*]

Legislative
Records of the
Council, ix., 82.
Mass.
Archives,
cxlii., 564.

Mass.
Archives,
cxlii., 554-562.
Legislative
Records of the
Council,
ix., 31 bis.

¹ Manuscript mutilated.

CHAPTER 117.

ORDER GRANTING THE PETITION OF STEPH. SEWALL ESQ^R REFERRING TO Y^E ESTATE OF CPT. WAINWRIGHT DEC^O.

Legislative
Records of the
Council, ix., 84.
Mass.
Archives,
xvii., 258.

Mass.
Archives,
xvii., 257.

UPON READING a Petition of Stephen Sewall Esq^r Guardian to John Wainwright a Minor, only Son to Cpt. Simon Wainwright late of Haverhill Dec^d being slain & his House burn'd with all his Books & most of his Writings Papers & Bonds at the Time of the Attack, Outrage & Desolations committed by the French & Indians upon the Town of Haverhill in the Year 1708. PRAYING in Behalf of the said Minor and others interested in the Estate, That Commissioners may be appointed with Power to call before them all Persons indebted to the said Estate & to require & administer an Oath to them referring to the Debts they respectively ow both as to the Quantity & Specie of Payment, The said Commissioners to report their Doings therein from Time to Time to the Governour & Council, that so the necessary further Directions may be given.

Ordered That the Prayer of the Pet^{con} be Granted, And that the Justices of the Inferio^r Court within the County of Essex, or any two of them be Commissioned and Impowred to and for the Service therein mentioned.¹ [*Passed November 11.*]

CHAPTER 118.

COMMITTEES REPORT OF A DRAUGHT OF COMMISSION & INSTRUCTIONS TO Y^E AGENT.

Legislative
Records of the
Council, ix., 88.
Mass.
Archives, xx.,
158, 160.

Ante, chap. 113.
Post, chap. 119.
Legislative
Records of the
Council, ix.,
87, 88. Execu-
tive Records of
the Council, v.,
298.

THE COMMITTEE reported the Draught of a Commission & Instructions for M^r Jeremiah Dummer jun^r Agent for this Province, Which were severally read & with some Amendments in the Instructions, Accepted by both Houses & Voted to be Engrossed.

JOSEPH DUDLEY Esq^r Captain General & Gov^r in Chief in & over Her Maj^{ty}s Province of y^e Massach^{ts} Bay in New England

To all unto whom these presents shall come Greeting

KNOW YEE That whereas the Great & General Court or Assembly in their present Session, HAVE Elected & Requested M^r Jeremiah Dummer Jun^r to Undertake the Service of an Agent for this Province of the Massachusetts Bay aboves^d, I Do, by & with the Advice & Consent of the Council and Assembly, hereby Constitute, Appoint and Impower the s^d M^r Jeremiah Dummer Agent as Afores^d To Attend Her Majesty, The Right hon^{ble} the Lords Commissioners of the Council for Trade & plantations, and other proper Boards in y^e Affairs of this Government, according to Such Instructions, as are herewth given him; And to Observe such further Instructions as from time to time, he shall receive from my selfe, or the Govern^r for the time being, wth the Council and Assembly of the s^d Province

GIVEN und^r my hand and the Common Seal of the Province aboves^d At Boston the Eleaventh day of November. 1710 In y^e Ninth Year of y^e Reign of our Sovereign Lady ANNE, by the Grace of God of Great Britain, France & Ireland Queen Defender of the Faith &c

¹ The House of Representatives "concurred," with this addition: "the Adm^{rs} Paying the necessary Costs of those that shall be summoned." Nothing further appears in the records.

In Council.

Read and accepted, to be Engross'd and Signed by his Excellency, and Countersigned by the Secretary.

Sent down for concurrence

In the House of Representatives

Read, & Pass^d a Concurrence.

Province of the
Massachusetts Bay

By his Excell^{cy} Joseph Dudley Esq^r Cap^t
Gen^l & Gov^r in Cheif, wth y^e Council
& Assembly

INSTRUCTIONS for M^r Jerimiah Dummer Jun^r in pursuance of the Comission herewith sent him, to be Agent for y^e Province of y^e Massachusetts Bay.

You are to Attend her Majesty, The R^t Hono^{ble} y^e Lords Comission^{rs} of the Council for Trade & plantations, & others of the Ministry of State as you may think proper & necessary, with a Representation of y^e Circumstances of o^r Affairs relating to y^e War w^c we have humbly Laid before her Maj^{ty} by o^r Sever^l repeated humble Addresses, and memorials.

You are to set forth y^e Distresses, Heavy Losses & Insupportable Charge that has been drawn upon her Majesties good Subjects of this Province for y^e necessary Defence of y^m selves & of her Maj^{ties} Interests in y^e Long Continued War both in y^e Late & present Reign, together with y^e Supadded Charge of the preparation for y^e last years intended Expedition and y^e Assistance given to that of this years, W^c, thô it hath been prospered by the Fav^r of Allmighty God to y^e Reduction of y^e french settlem^{ts} in Nova Scotia, Yet it is not to be expected that her Maj^{ties} good subjects in this & y^e neighb^{ing} Colonies can enjoy any Setled repose & quiet as Long as the French do hold y^e Country of Canada in their hands, w^c are already very numerous, do yearly extend their settlements round us & grow more formidable by y^e Interest & Alliances w^c they make wth y^e Salvage Nations, w^c being bigotted to their Superstitions are more easily instigated, as accounting it meritorious, to comitt all manner of Cruelties & Depredations upon us. And if that Country be not subdued during y^e present War y^e French King may easily, as 'Tis reported he hath sometimes designed, Send over such a number of Inhabitants there, as upon y^e next rupture between y^e Crowns may indanger all her Majesties Settlements upon this Continent.

If it shall be her Maj^{ties} Royall resolution to form an Expedition agst y^e Country and shall Command any assistance thereto from hence you are by all means to endeavor y^e Lessening o^r Last Quota w^c we conceive beyond o^r proportion wth o^r neighb^{rs} Espec. Consid^{ing} we are obliged notwithstanding to keep o^r Ordinary Guard of 6 or 7. hund^d men on o^r frontiers, & to raise & Equip Sever^l vessells of war for Guarding of y^e Coast w^c y^e other Govern^{ts} Share in y^e benefit of. The Guards of New York govern^{mt} are upon y^e Queens Establishm^t & y^e french & y^e Indians are comanded by y^r master to be Nutrall on y^e Side of Albany Whilst y^e Standing charge of this Prov., comūnibus annis, has been little if any thing short of Thirty Thous^d pound p annum. O^r Extraordinary heavy charge by reason of y^e Pressure of y^e War, whilst some of o^r neighbouring Governm^{ts} have felt but very little thereof, till very Lately; has Occasioned a Considerable number of families, of young & able bodied men to remove from this Prov: into y^e neighbouring Governm^{ts} to be eased of Charge & free of Danger by whom sev^l Towns have been raised & peopled there. Besides that for y^e same Reasons great numbers have gone abroad by Sea & are Employed in

her Maj^{ties} Service in Europe & Elsewhere so that we are much Decreased.

You are to solicit that y^e Southern Plantations viz. Virginia Maryland &c may be Obligated to Afford their proportionable Charge towards y^t Expedition.

If Her Maj^{ty} be pleased to form an Expedition for the Reduction of Canada, and Her Maj^{ty's} Armes be prospered for y^e conquest thereof. You are humbly to Represent wth y^e greatest instance our utter inability to afford either men or money for the Garrisoning of y^e same.

But in Case y^e Expedition should not proceed you are in y^e most pressing manner to endeavor that her Maj^{ties} Com^{mands} may be sent to y^e Gov^{nm}^t of New York to forbid that any thing like a Neutrality be maintained by y^m but that they & y^t Depend^{ts} Indians may be Engaged with us agst y^e Com^{mon} enemy.

And when negotiations for a Peace are revived You are to use your utmost Endeavours, for the Rendition of the Countrey of Canada, to Her Majesty, And That the Countrey, of Port Royall & Nova Scotia, now happily reduc'd to Her Obedience, may be so Continued.

You are to have a regard to the sever^l Articles in o^r Adresse but Espec. Wⁿ any settlem^t of Annapolis Royal shall be projected to use yo^r best endeavor for y^e Obtaining for y^e Inhabitants of this Prov: y^e Benefits therein prayed for

Part: ¹ That There may be Confirmed unto them y^e Free Liberty of Fishing & Whaling on y^e Seas, banks, Shoares, Bayes, Harb^{rs}, Rivers, Creeks & coves of y^t Country & of making fish & Oyle on y^e Shore as Also y^e Liberty of Digging & Fetching off Sea Coal from thence free from all duties &c.

You are also in any of y^e afores^d or other Weighty matters y^t Import o^r Welfare to Consult and Advise with y^e Hon^{ble} Coll^o Francis Nicholson whose prudent & industrious managem^t of y^e Late Expedition & y^e Zeal he hath expressed therein for her Maj^{ties} Service & y^e repose of this Province hath justly recommended him to y^e affections of this people & given y^m a great value for his friendship.

You are to represent Well to her Maj^{ty} & y^e Ministry, y^e Govⁿ^r Council & representatives with reference to their ready obedience to her Maj^{ties} Demands & in y^r Sev^l capacities forwarding to y^r utmost y^e Late expedition.

And if any complaints are or shall be made by the Gov^{nm}^{ts} of Connecticut or Road Island referring to Limits or Boundaries we desire you to move that we may be duely notified & Served with a Copy of y^e Complaints, & have reasonable time allow'd to be heard on y^e head thereof, before any order be made for an Alteration & in all other matters & things which may be moved against us. Endeav^r to prevent any determination in o^r prejudice.

You are to Observe y^e Aforegoing Instructions & such others as from time to time you Shall receive from myself or y^e Gov^r for y^e time being, with y^e Council & Assembly. And by all Opportunities Advise of w^h shall occur wth reference to this Gov^{nm}^t or any thing relating to y^e Affairs thereof.

Boston Nouem^{br} 11th 1710

JOHN HATHORNE in the
name of the Committee

At Boston y^e 11th of Nov^r 1710.

CounterSigned.

By and wth y^e Advice and Consent of y^e Conncil & Assembly.

Signed.

I. A. Secry.

J DUDLEY

[Passed November 11.

¹ Qu., "Particularly"? The first letter is not clear.

CHAPTER 119.

RESOLVE DIRECTING £.200, BILLS OF EXCH^A TO BE PROCURED FOR
Y^E AGENT, M^R JER: DUMMER JUN^R.

Resolved That the Treasurer be Directed to Purchase good Bills, of Exchange for Two Hundred Pounds Sterling, to be paid to M^r Jeremiah Dumer, jun^r in London, to Enable him to Negotiate the Affairs of this Province. [*Passed November 11.*]

Legislative
Records of the
Council, ix., 88.
Mass.
Archives, xx.,
167.

Ante, chap. 118.

CHAPTER 120.

VOTE ON PROPOSAL FOR ACCOMMODATION OF THE LINE BETWEEN THE
MASSACHUSETTS & RHOD ISLAND. VIDE AGREEM^T MADE ABOUT THE
LINE ENTER^D LIB. 2. P. 151 FOR COMMISSION & OTHER PUBLICK WRIT-
INGS. [*Passed November 11.*]

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix., 88.

Post, chap. 134.

CHAPTER 121.

RESOLVE ALLOWING £.250, TO HIS EX^{CY} THE GOV^R.

Resolved That the Sum of Two Hundred & Fifty Pounds, be Allowed
& Paid out of the publick Treasury to his Excellency JOSEPH DUDLEY
Esq^r Capt: Generall & Govern^r in chief of this her Maj^{ty} Province for
his Support, in Managing the Affairs of the Government. [*Passed
November 11.*]

Legislative
Records of the
Council, ix., 89.
Mass.
Archives,
ccci., 78.

Ante, chap. 48.
Executive
Records of the
Council, v., 294.

CHAPTER 122.

RESOLVE ALLOWING £.200, TO ANDR: BELCHER ESQ^R COMM^{RY} GEN^{LL}.

Resolved That the Sum of Two Hundred Pounds be Allowed, & Paid,
out of the Publick Treasury, to y^e Hon^{ble} Andrew Belcher Esq^r Com-
miss^{RY} Generall for his good Service in the S^d Office, the year past end-
ing the nineteenth Day of August last. [*Passed November 11.*]

Legislative
Records of the
Council, ix., 89.
Mass.
Archives,
ccci., 77.

Executive
Records of the
Council, v., 294.

CHAPTER 123.

RESOLVE ALLOWING £.60, TO IS^A ADDINGTON ESQ^R SECR^Y.

Resolved that the Sum of Sixty Pounds be allowed & paid out of
the Publick Treasury to the Hon^{ble} Isaac Addington Esq^r for his ex-
traordinary Service for this Province for the Year Curr^t. [*Passed
November 11.*]

Legislative
Records of the
Council, ix., 89.

Executive
Records of the
Council, v., 295.

CHAPTER 124.

RESOLVE ALLOWING £.20, TO M^r JN^o WHITE.Legislative
Records of the
Council, ix., 89.*Ante*, chap. 51.
Executive
Records of the
Council, v., 235.

Resolved that the Sum of Twenty Pounds be further allowed & paid out of the Publick Treasury to John White Clerk of this House for his Service the Year Currant, being extraordinary ending in May next. [*Passed November 11.*]

CHAPTER 125.

RESOLVE ALLOWING £.27, TO ROBERT ELLIS CHIRURGEON.

Legislative
Records of the
Council, ix., 90.
Mass.
Archives,
ccci., 74.Executive
Records of the
Council, v., 218,
297.

UPON AN ACCOMPT offered by Robert Ellis Chirurgeon for his Attendance & Administring to John Crisp a private Soldier under Coll. Tailer, having his Leg broke with a Compound Fracture, And for Horse Hire, Amounting to £.27 " " -.

Resolved That the Sum of Twenty Seven Pounds, be Allowed, & Paid out of the publick Treasury to the s^d Rob^t Ellis to Discharge his acc^o abovewritten. [*Passed November 11.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FOURTEENTH DAY OF MARCH, A.D. 1710.

CHAPTER 126.

ORD^R FOR DRAWING IN TO THE TREASURY THE 20s. BILLS OF CREDIT
OF 1702.

WHEREAS at the Session of this Court in October last An Act pass'd
entituled An Act for Exchanging the Twenty Shilling Bill of Credit &c :
Wherein the Treasurer & Receiver Gen^l of this Province for the Time
being is Directed & Required from & after Publication thereof not to
issue or Pay out any of the Twenty Shilling Bills of the Date of 1702 :
but to keep them in the Treasury with those of the like Sum & Date
yet out standing when drawn in to be numbered & accounted among
the other Bills that are worn out & rendered unfit for Service, And
disposed of as this Court shall order; And the Treasurer is also by
the said Act impowered & directed to exchange all the Twenty Shil-
ling Bills of the aforesaid Date of 1702: which shall be brought to
him by any Person or Persons whom soever before the first Day of
this present Month of March, being true Bills not falsified, And give
them true Bills in Lieu thereof, And all Persons possessing any of the
said Twenty Shilling Bills dated 1702, are thereby required to bring
them to the Treasurer to be exchanged accordingly;

Legislative
Records of the
Council, ix., 92.
Mass.
Archives, ci.,
384.

Ante, chap. 108.
Post, chap. 145.
Mass.
Archives, ci.,
383.

NOTWITHSTANDING which afore recited Act published printed & dis-
persed in the several Towns throughout the Province to be there posted
up & made publick, There are a considerable Number of the said Bills
yet out standing, not brought into the Treasury to be Exchanged And
the Time prefixed therefore being elapsed;

AND this Court being unwilling to take Advantage of Peoples Neglect
in that Regard, but alwaies desirous to Approve their Justice & to
maintain & support the Honour & publick Credit of the Government
& to prevent future Forgeries of the said Bills have thought fit to direct
& order, And accordingly do hereby

Direct & Order the Treasurer and Receiver General for the Time
being to proceed and Go forward in the Receiving and Exchanging
of all True Twenty Shilling Bills of the aforesaid Date of 1702, that
Shall be brought to him by any person or persons Whome soever At
any time or times at or Before the Twentieth day of June Next Ensue-
ing the Date hereof and not after wards.

AND That Printed Copys of this Order be forth with Transmitted to
the Sherriffs of the Respective Countys to be by them Solemnly Pub-
lished and posted up in the Shire Town, and to send and Disperse
others to the Severall Towns of the County, there to be alike posted
and published & a proper number sent to the neighbouring Govern-
ments of Conecticot Rhode Island & New Hampshire. To the Intent
all persons may be duly NOTIFIED to bring in their Bills within the
Time herein Limited, and no Longer Delay, presuming on the Courts
Indulgence. [*Passed March 15.*]

CHAPTER 127.

ORDER ACCEPTING ANDREW BELCHER ESQ^R COMMISS^V GEN^{LL} HIS ACC^{TT}.Legislative
Records of the
Council, ix., 93.

Mass.

Archives,
cxxii., 307, 333;
cxxiii., 25.Executive
Records of the
Council, iv.,417, 453, 482,
556, 569, 572, 602,630; v., 17, 23,
32, 58, 67, 77, 97,113, 117, 194 *bis*,
205, 211, 244, 264,277, 286, 302, 332,
339, 340, 348, 358.

[UPON READING] The Report of the Audit or the Committee upon the Commissary Generals Accompts; viz,

PURSUANT to the Order of the House pass'd the tenth of November 1710; Appointing us a Committee in the Recess of this Court to examine & audit the Accompts of Andrew Belcher Esq^r Commissary Gen^{ll} & make Report thereon; We have attended the said Service & Examined four sev^{ll} Accompts of the said Commissary; The first Accompt being from Jan: 24. 170⁹, to May 5th 1708: And the Ballance then due to him from the Province was the Sum of One Thousand six Hundred & nine Pounds, sixteen Shillings & four Pence; The second Accompt from May 5th 1708; to to¹ Jan: 20: 170⁹; And the Ballance then due from the Province to the said Commissary was One Thousand two Hundred, twenty two Pounds nineteen Shillings & seven Pence; The third Accompt from the 20th of January 170⁹. to the 28th Day of March 1710: And the Ballance then due to the said Commissary was the Sum of One Thousand seven Hundred & fifty seven Pounds, two Shillings & Eight Pence: The fourth Accompt being from the 28th Day of March 1710, to the thirtieth Day of December next after; And the Ballance then due to the said Commissary was the Sum of Four Hundred & twenty seven Pounds, three Shillings & Eleven Pence: All which Accompts having been found right east & well avouched, We are of Opinion that the said Commissarys Accompts from Jan^{ry} 24th 170⁹. to Dec. 30th 1710, as aforesaid ought to be Accepted & past by this Court & the said Commissary be discharged accordingly, His Accompts before that Time having been heretofore allow'd & pass'd by this Court:

	JOHN CLARK	} Comm ^{tee}
EPHRAIM SAVAGE	NATH ^{LL} CAREY	
JAMES BARNES	THO: HUTCHINSON	

Boston Jan^{ry} 26. 171⁰₁,

Ordered, That the Report abovewritten be Accepted, & that the said Commissary General be discharged accordingly. [*Passed March 15.*]

CHAPTER 128.

ORDER ALLOWING £.4, TO ENSIGN JN^O FOWLER.Legislative
Records of the
Council, ix., 94.Mass.
Archives,
cccl., 75.Mass.
Archives,
cccl., 75.

[UPON READING] An Accompt of the Charges of Ensign John Fowler in his Sickness, amounting to Four Pounds

Resolved That the Sum of Four Pounds be allowed & Paid out of the Publick Treasury to Ensigne John Fowler to Discharge the acc^o on the other side. [*Passed March 15.*]

CHAPTER 129.

ORDER ON PETIT^N FOR A PRECINCT IN READING. [*Passed March 16.*]Legislative
Records of the
Council, ix., 95.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 130.

ORDER ON DORCHESTER PETIT^N REFERRING TO THEIR LINE NEXT BRIDGEWATER. [*Passed March 16.*]Legislative
Records of the
Council, ix., 95.
Mass.
Archives, iii.,
129.[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]Mass.
Archives, iii.,
128.

CHAPTER 131.

ORDER REVIVING A HEARING ON PETITION OF ELEAZAR WALKER.

UPON READING a Petition of Eleazar Walker of Taunton annexed to his Petition presented to this Court in June last past, Praying for Relief in Equity against Joseph Tisdale of the same Place for not Rendring unto him the said Walker two Lotts or Shares of Land in the South Purchase in Taunton afore said, Which he conveyed to the said Tisdale for a Security (as he saith) for about Thirteen Pounds in Money borrowed of him, upon his Promise to restore the same upon Payment of the said Money, with Interest, W^{ch} he now refuseth to do, And a Hearing of the said Matter being appointed on the first Tuesday of the last Session, Before which Time the said Parties entered into a Bond of Submission to leave their Differences to the Determination of certain Arbitrators therein named, But the said Tisdale neglected to attend the said Arbitrators, so that they declined to Make any Award upon the said Matter, PRAYING that his Petition may proceed & a Hearing be had thereon.

Legislative
Records of the
Council, ix., 96.
Mass.
Archives, xlv.,
375.Mass.
Archives, xlv.,
372-381.

Ordered That the Hearing before appointed be Revived and continued to the Second Wedensday of y^e next Session of the General Assembly.

And that the Pet^r cause Joseph Tisdale the person complain^d of to be Notified then to attend, by Serving him with a Copy of these Petitions and the Order of this Court thereupon. [*Passed March 16.*]

CHAPTER 132.

ORDER ALLOWING JN^O BRADFORD &c £55.

UPON READING a Petition of Major John Bradford in Behalf of him self, Sam^l Bradford & Israel Bradford Executors of the last Will & Testament of William Bradford Esq^r late of Plimouth Dec^d Praying Payment of the Sum of Fifty five Pounds, PURSUANT to an Agreement made between the Gen^l Court of the late Colony of Plimouth the seventh of June 1690, And the said William Bradford Esq^r respecting his Claim, Title & Demand to Lands heretofore bought of the Indians for the Countrey lying at the Cape ;

Legislative
Records of the
Council, ix., 96.
Mass.
Archives, ci.,
385.Mass.
Archives, ci.,
386, 387.

Ordered That the Sum of Fifty five Pounds, be Allowed, & Paid out of the publick Treasury, to the Exec^{rs} of William Bradford Esq^r Dec^d upon their Making Releases, to this Court, or Persons, appointed, by them, according to the Tenour and in as full, & ample manner as was agreed, to be done by the S^d William Bradford Esq^r deceas^d to the late Colony of New Plymouth, which agreement is expressed on the other Side. [*Passed March 16.*¹]

¹ In the Secretary's copy of the Legislative Records of the Council, ix., 96, there is the following marginal memorandum: "NB: This Order is entered on the Agreement."

Legislative
Records of the
Council, ix., 96.

Ante, chap. 84.
Executive
Records of the
Council, v., 362.
Records of the
First Church
at Dorchester
in New Eng-
land, 1636–
1734, p. 223.
Love's Fast
and Thanks-
giving Days of
New England,
p. 487.

CHAPTER 133.

VOTE APPOINTING A FAST DAY.

A MESSAGE from the House by Maj^r Bradford & Cpt. Oliver, To desire a General Fast may be appointed; And accordingly his Excellency with Advice of the Council directed that Thursday the twelfth of April next be sett a Part for that Service. [*Passed March 16.*]

CHAPTER 134.

AGREEM^t ENTER'D AT LARGE IN THE BOOK FOR COMMISS^{es} & OTHER PUBLIC WRITINGS N^o 2. AGREEM^t OF Y^e PARTITION LINE BETWIXT MASS^a & RH: ISLAND ACCEPTED. [*Passed March 16.*]

Legislative
Records of the
Council, ix., 97.

Ante, chap. 120.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 135.

RESOLVE ALLOWING £10, TO M^r PARIS MINISTER OF DUNSTABLE.

Legislative
Records of the
Council, ix., 97.
Mass.
Archives, xi.,
371.

Ante, chap. 83.

Resolved That the Sum of Ten Pounds be allowed and Paid, out of the Publick Treasury, to the reverand m^r Samuel Parris minister at Dunstable for his service the halfe year curr^t ending with this month. [*Passed March 16.*]

CHAPTER 136.

VOTE REFERRING TO THE S^o PRECINCT IN TAUNTON. [*Passed March 16.*]

Legislative
Records of the
Council, ix., 97.

Ante, chap. 114.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 137.

ORD^r REFERRING TO Y^e PROV. GALLEY.

Legislative
Records of the
Council, ix., 98.
Mass.
Archives,
lxiii., 178.

Legislative
Records of the
Council, ix., 94.

Ordered That His Excellency the Govern^r be Intreated, to Restore, Capt: W^m Pickering to the Command of the Province Galley.

That he be Allowed after the Rate of eight Pounds p month, for the year curr^t or for Such time thereof, as he Shall bear that Command.

And That the Victualling of the s^d Ship for the year curr^t be in the Proportions following viz^t

One Pound of Bread, Three Qvarts of Beer, & halfe a Pint of Peas, to a man p Day.

And Two messe Pieces of meat, to five men p Day. [*Passed March 16.*]

CHAPTER 138.

VOTE REFERRING TO A 2^D MEETING HOUSE IN REHOBOTH.

ON MATURE CONSIDERATION of a petition humbly presented to this Court by Samuel Peck and a considerable number of the Inhabitants in the Southern part of the Town of Rehoboth dwelling far remote from the place of the publick Worship of God in the s^d Town; Praying they may be Set off a distinct and Seperate Precinct to procure and Settle a Minister in that part thereof. The Town having been Served with a Copy of the s^d Pet^{con} and their Agent and the Pet^{rs} heard thereupon, both parts agreeing to the necessity of having another Meeting House and Minister to accommodate the respective parts of the Town and proposing that it will be most agreeable to be done by the whole in General, rather than by Setting off a precinct.

It is Recommended to the Town of Rehoboth forthwith to Erect a Meeting House and Ministry House and assigne a sutable accommodation of Land thereto in the said Southern part of the Town; And also to Vote and Settle a competent annual Salary for the hon^{ble} Support and maintenance of the Ministry in both parts giving preference to the first and ancient part of the Town, and saving inviolable their Contract with their present Minister.

This to be fully concluded Setled and put in Execution before the Session of this Court in May next and then Reported. Or that the Court then assume the further Consideration of the petition. [*Passed March 17.*]

Legislative
Records of the
Council, ix., 97.
Mass.
Archives, xi.,
390.

Ante, chap. 30.
Mass.
Archives, xi.,
386–390.

CHAPTER 139.

ORDER ON JOSIAH MELLISH'S PETITION IN REGARD TO A PARTNERSHIP BETWEEN HIM AND JOSEPH PARSONS.

UPON READING a Petition of Josiah Mellish Merch^t Setting forth that the Petitioner & one Joseph Parsons came Partners into this Countrey & brought with them a considerable Cargoe of Goods amounting to about Two Thousand Pounds Sterling, the greatest Part thereof did appertain to the Petitioners Friends & Relations, he being three Fifths concerned in the said Partnership & the said Parsons two fifths, that the said Parsons has clandestinely got the Petitioners Articles of Partnership into his Hands, which he detains or has cancelled, And taking Advantage of the Petitioners Absence out of Town took all the Goods & Books of Accompts concerning the Partnership out of the Publick Ware-House & carried them to his own Lodging & Possessing Him self thereof & of all the Money &c: Absconds & is concealed in his Lodging, Designing in a little Time to be gone to the great Prejudice of the Petitioner their Correspondents and the Honest Trades Men of the Town; PRAYING to be relieved & that the said Parsons may not be suffered to transport him self untill he has adjusted all Matters referring to the Partnership, that the Gentlemen concerned be not cheated &c.

The Said Joseph Parsons being Notified to Attend that he might make Answer thereto Refused to Appeare.

WHEREFORE for Preventing the Imbezelm^t & Squan'dring away the Estate of the Merchants in England their Principals, who have Entrusted them with the Managem^t thereof, by their Unhappy Differences.

Ordered, That Thomas Brattle Thomas Palmer Esq^{rs} and M^r William Harris Be and hereby are Appointed & Impowered a Committee to

Legislative
Records of the
Council, ix., 99.
Mass.
Archives,
cxix., 239.

Mass.
Archives,
cxix., 235, 237.

Negotiate an Accommodation betwixt the said partners if that can be Effectuated otherwise to Demand take and Receive into their Care and Custody all the Goods Wares Merchandizes and Effects belonging to their Imploiers and principals with the Books Accompts papers and Writings Relating thereto. And to see that they be Managed Improved and Employed According to the Orders and Instructions of the Principals and Owners untill the Next session of this Court When further Consideration may be had of this Affair And the Necessary Orders made thereon

AND that in the Meantime neither of the said partners do Depart this Province without Special Licence for the Same from his Excell^{ty} the Governour. [*Passed March 17.*]

CHAPTER 140.

Legislative
Records of the
Council, ix.,
100. Mass.
Archives,
cxiii., 291.

ORDER GRANTING PETITION OF TAUNTON NORTH PRECINCT TO BE A TOWN BY Y^e NAME OF NORTON. [*Passed March 17.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Mass.
Archives,
cxiii., 290, 292.

CHAPTER 141.

RESOLVE ALLOWING 20s. 4^p WEEK TO M^r TUFTS.

Legislative
Records of the
Council, ix.,
100. Mass.
Archives, xi.,
370.

Resolved That there be allowed & Paid out of the Publick Treasury to m^r Tufts twenty Shillings, for each Sabbath, he hath or Shall Preach at Tiverton, from the time he was last paid to the session of this Court in may next. [*Passed March 17.*]

Ante, chap. 42.

CHAPTER 142.

Legislative
Records of the
Council, ix.,
100. Mass.
Archives, xi.,
368.

RESOLVE GRANTING £.20, PER ANNUM TO M^r AVERY PREACHER OF FREETOWN.

Resolved That there be allowed & Paid out of the Publick Treasury, to M^r Joseph Avery, after the Rate, of Twenty Pounds *p* annum, for each Sabbath, he hath or shall preach at Freetown, from the time, he was last paid to the session of this Court in may next. [*Passed March 17.*]

Mass.
Archives, xi.,
369, 370. Leg-
islative Rec-
ords of the
Council, ix., 94.

CHAPTER 143.

RESOLVE ALLOWING SETH SMITH PAYM^t FOR KEEPING ODELL.

UPON READING a Petition of Seth Smith Keeper of his Majesties Goal in Boston, PRAYING Allowance for Diet & Keeping of Thomas Odel,

Resolved That there be Allowed, & Paid out of the Publick Treasury, to Seth Smith the Petitioner, for forty one weeks, Dieting of Thom^s Odel, two Shillings & six pence *p* week. [*Passed March 17.*]

Legislative
Records of the
Council, ix.,
100. Mass.
Archives, xi.,
942.

Mass.
Archives, xi.,
941; lxxi., 761,
762.

CHAPTER 144.

ORDER ALLOWING HUMPH. BRADSTREET £.50, UPON HIS ACC^TS.

UPON READING the Report of the Committee of both Houses upon the Accompt of Humphrey Bradstreet Chirurgeon for his Attendance & Application to Cpt. Humphrey Hook, Hugh Pike & Peter Rich wounded in her Majesties Service, That there be paid to him the Sum of Fifty Pounds in full of his Three Accompts;

Ordered That the S^d Report be accepted.

And That the Sum of Fifty Pounds, be Allowed, & Paid out of the Publick Treasury, to Doct^r Humphry Bradstreet, in full of his accompts therein mentioned. [*Passed March 17.*]

Legislative
Records of the
Council, ix.,
100. Mass.
Archives,
lxxi., 749.

Ante, chap. 94.
Mass.
Archives,
lxxi., 748.

CHAPTER 145.

RESOLVE IN REGARD TO THE COMM^{TEE} TO TAKE ACC^T OF UNSERVICE-
ABLE BILLS.

THE FOLLOWING RESOLVE pass'd in Council; Viz,

Resolved that Eliakim Hutchinson, Penn Townsend & Edw^d Bromfield Esq^{rs} with such as shall be named by the Representatives be a Committee to take an Accompt of Bills defaced, worn out and Render'd unfit for further Use & the Twenty Shilling Bills ordered to be called in & Make them up in distinct Bundles with the Quantity of each that are lying in the Treasury, That they may be ready against the next Session of this Court to be disposed as this Court shall direct:

Read & Concur'd by the Representatives; And

Voted that the Representatives of the Town of Boston be joined to assist in the Affair afore said. [*Passed March 17.*]

Legislative
Records of the
Council, ix.,
100.

Ante, chap. 126.
Mass.
Archives, ci.,
383.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1711-12.

LEGISLATIVE LIST¹

FOR

1711-12.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, Esq.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Colony of the Massachusetts Bay;*

WAIT WINTHROP	}	ESQRS.	PENN TOWNSEND	}	ESQRS.
JOHN HATHORNE			JOHN APPLETON		
ELISHA HUTCHINSON			JOHN HIGGINSON		
SAMUEL SEWALL			ANDREW BELCHER		
WILLIAM BROWN			SAMUEL PATRIDGE		
ISAAC ADDINGTON			EDWARD BROMFIELD		
JOHN PHILLIPS			EPHRAIM HUNT		
JONATHAN CORWIN			DANIEL EPPES		
PETER SERGEANT			THOMAS NOYES		

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Colony of New Plimouth;*

NATHANIEL PAYNE	}	ESQRS.	JOHN CUSHING	}	ESQRS.
ISAAC WINSLOW			JOHN OTIS		

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Province of Main;*

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ICHABOD PLAISTED, ESQRS.

*Of the Inhabitants of or Proprietors of Lands within the Territory lying between
the River of Sagadahock & Nova Scotia;*

JOSEPH LYNDE, ESQ.

For the Province, at large:—

JOHN WALLEY & NATHANIEL NORDEN, ESQRS.

¹ See Legislative Records of the Council, ix., 104-106.

REPRESENTATIVES OR DEPUTIES.

May 30, 1711 to April 21, 1711-12.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
 Addington Davenport,
 Capt. Thomas Hutchinson,
 Major Thomas Fitch.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestill Clap.
Hingham, . . . Samuel Thaxter, Esq.
Brantrey, . . . Mr. Nathaniel Hubbard.
Dedham, . . . Mr. John Fuller.
Medfield, . . . Mr. Henry Adams.
Weymouth, . . . Capt. John Hunt.
Milton, . . . Mr. Ephraim Tucker.
Wrentham, . . . Mr. John Whiting.
Mendon, . . . Josiah Chapin, Esq.
Brookline, . . . Mr. Josiah Winchester.
Woodstock, . . . John Chandler, Esq.

COUNTY OF ESSEX.

Salem, . . . Mr. Benjamin Lynde.
Ipswich, . . . Samuel Appleton, Esq.,
 Capt. William Goodhue.
Newbury, . . . Mr. Cutting Noyes.
Marblehead, . . . Mr. George Jackson.
Lynn, . . . John Burrill, Esq.
Andover, . . . Capt. John Chandler.
Beverly, . . . Mr. John Balch.
Rowley, . . . Mr. Ezekiel Jewett.
Salisbury, . . . Mr. Nathaniel Brown.
Haverhill, . . . Mr. John Hassletine.
Glocester, . . . Mr. Joseph Parsons.
Topsfield, . . . Mr. Tobijah Perkins.
Boxford, . . . Mr. John Paybody.
Wenham, . . . Mr. William Fiske.
Amesbury, . . . Mr. Moses Morrell.
Bradford, . . . Mr. John Tenny.

COUNTY OF MIDDLESEX.

Charlestown, . . . Capt. Samuel Phipps.
Cambridge, . . . Thomas Oliver, Esq.
Watertown, . . . Mr. John Saunders.
Concord, . . . Mr. Benjamin Whitmore.
Woburn, . . . Mr. Joshua Sawyer.
Reading, . . . Capt. Thomas Nichols.
Sudbury, . . . Mr. Matthew Stone.
Marlboro, . . . Capt. Thomas How.
Newton, . . . Mr. John Ward.
Malden, . . . Mr. John Greenland.

COUNTY OF MIDDLESEX — *Concluded.*

Chelmsford, . . . Capt. Joseph Adams.
Billerica, . . . Mr. John Sterns.
Sherburn, . . . Mr. Eleazar Holbrook.
Groton, . . . Mr. John Farnsworth.
Lancaster, . . . Mr. John Houghton.
Frammingham, . . . Mr. Jonathan Rice.

COUNTY OF HAMPSHIRE.

Springfield, . . . John Pyncheon, Esq.
Northampton, . . . Joseph Parsons, Esq.
Hadley, . . . Mr. Peleg Montague.
Hatfield, . . . Mr. John Dickenson.
Suffield, . . . Mr. Jacob Adams.

DUKES COUNTY.

Major Benjamin Skiffe.

NANTUCKET.

James Coffin, Esq.

COUNTY OF PLIMOUTH.

Plimouth, . . . James Warren, Esq.
Scituate, . . . Mr. Thomas Turner.
Bridgewater, . . . Mr. Edward Fobes.
Marshfield, . . . Capt. Nathaniel Winslow.
Duxboro, . . . Mr. Abraham Sampson.

COUNTY OF BARNSTABLE.

Barnstable, . . . Mr. Joseph Lothrop.
Sandwich, . . . Mr. Eldad Tupper.
Eastham, . . . Mr. Samuel Mayo.
Yarmouth, . . . Mr. Peter Thacher.
Harwich, . . . Mr. John Mayo.

COUNTY OF BRISTOL.

Bristol, . . . Mr. Simon Davis.
Taunton, . . . Mr. Samuel Williams.
Rehoboth, . . . Mr. Daniel Smith.
Swansey, . . . Mr. John Thomas.
Dartmouth, . . . Mr. James Samson.
Little Compton, . . . Capt. William Southworth.
Attleboro, . . . Mr. David Freeman.
Tiverton, . . . Mr. Joseph Tillinghurst.

COUNTY OF YORK.

York, . . . Capt. Lewis Bane.
Kittery, . . . Mr. Joseph Hammond.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTIETH DAY OF MAY, A.D. 1711.

CHAPTER 1.

ORDER PERMITTING M^r JOS: MARION TO CUTT & IMPRINT Y^e ESCUTCHEONS ON Y^e BILLS.

JOSEPH MARION proposing to Cutt & Cause to be imprinted the Escutcheons on the sevⁿ Bills of Credit on this Province for the better Information of People free of Charge to the Public, He having the Benefit of y^e Disposal thereof, for his own Advantage;

Legislative
Records of the
Council, ix.,
107.

Post, chap. 14.

Ordered that he be licenced & permitted so to do. [*Passed May 31.*]

CHAPTER 2.

ORDER IMPOWERING JN^o BERNARD TO TAKE UP £.50, ON THE SECURITY OF W^m COLES HOUSE.

UPON READING a Petition of John Barnard Executor of the last Will & Testament of William Cole of Boston Mariner Dec^d Praying he may be impowered to take up Fifty Pounds, upon the Security of the Dwelling House & Land of the said William Cole the Testator by Mortgaging the Whole or Part thereof to Enable him to discharge the Testators Debts, Hoping to clear the same out of the Rents by the Time the youngest Child comes of Age;

Legislative
Records of the
Council, ix.,
107. Mass.
Archives,
xvii., 265.

Ordered That the Prayer of the Petition be Granted.

And the Pet^r is hereby Impowred to take up Fifty Pounds to be Applied to and for payment of the Debts of the said William Cole the Testator, And to make over his Dwelling House and Land or part thereof, as Security for Repayment of the principal with Lawful Interest, by the time the youngest Child shall come of age. And to Signe Seal and Execute a Deed of Mortgage or Conditional Sale thereof accordingly. The Rent and profits arising out of the said House in the Interim, over and above the necessary Support of the Children To be Improv'd towards Redemption of the Estate. [*Passed June 2.*]

CHAPTER 3.

RESOLVE GRANTING £.44, 8, 6, TO CPT. LEWIS BANE.

Legislative
Records of the
Council, ix.,
110. Mass.
Archives, iii.,
419.

Mass.
Archives, iii.,
420.

UPON THE PETITION of Cpt. Lewis Bane Coroner for y^e County of York;

Resolved That the Prayer of the Petition be Granted, and that the Sum of Fourty four Pounds eight shillings & Sixpence, be allowed and Paid out of the Publick Treasury, to Capt: Lewis Bane the Petitioner, to Pay for the Shallop within-mentioned. [*Passed June 5.*]

CHAPTER 4.

PROPOSAL FOR A SIGNAL OFF MARTHA'S VINEY^D TO GIVE NOTICE OF Y^E ENEMY.

Legislative
Records of the
Council, ix.,
110. Mass.
Archives,
lxiii., 181.

UPON CONSIDERATION of that Paragraph in his Excellencies Speech relating to the Defence of the Frontiers & Coast: It is Proposed,

That WHEREAS the French Privateers lying at Holmes's Hole, or other Harbours thereabouts do easily Surprise our Coasters in their Passage that there may be asuitable Signell made from Gayhead, & asuitable place, at the East End of Martha's vineyard, by the Inhabitants when they perceive any of the Enemy there to Prevent any vessels passing either way from falling into their hands.

That a Company of able Volunteers not exceeding forty with a Suit-able Captain, & Lieutenant be forthwith Raisd, to march towards the Lake & Chamblee, to annoy the enemy there, & keep them at home. who shall be paid for every Scalp of a male Indian Enemy or Rebel they shall Recover, ten pounds as the law directs, and receive wages, the Captain forty Shillings, the Lieut^t thirty Shillings, each private Centinell twenty shillings \wp week, they finding and Subsisting them selves, the Capt: to keep afair Journell of his Proceedings, & Return it with his muster Roll, into the Comissary Generalls office. [*Passed June 5.*]

CHAPTER 5.

Legislative
Records of the
Council, ix.,
111.

Mass.
Archives,
cxliii., 13.
Maps and
Plans, iv., 5.

ORDER FOR LAYING OUT 300 ACRES OF LAND TO THE ASSIGNS OF THO. MAHEW. [*Passed June 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 6.

ORDER APPOINTING A COMM^{TEE} TO LAY OUT KITTE^RY HEAD LINE.
[*Passed June 6.*]

Legislative
Records of the
Council, ix.,
112.

Post, chap. 73.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 7.

ORDER APPOINTING A COMMITTEE TO CONSIDER OF FEES.

Ordered that Elisha Hutchinson & And. Belcher Esq^{rs} of the Council & the Secretary with John Clark Addington Davenport Esq^{rs} Captain Thomas Hutchinson & Captain Samuel Phipps of the Representatives be a Committee to consider what they apprehend a proper Establishment of Fees for such Public Offices in this Province, whose Fees are not yet ascertained in the Law. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
113.

CHAPTER 8.

ORDER IMPOWERING WM CHALLIS &c TO MAKE SALE OF LAND.

UPON READING the Petition of Mary Challis, William Challis, Thomas Challis, John Challis &c, Praying that the Lands assigned to the said Mary Challis for her Dower or Thirds in the Estate of her Husband Phillip-Watson Challis some Time of Amesbury Deceased may be disposed of for her Support being an Aged Sickly Woman, the Income or Profit thereof being of very little Value :

Legislative
Records of the
Council, ix.,
113. Mass.
Archives,
xvii., 293.

Ordered That the Prayer of the Petition be Granted, & that William Challis, with M^r Moses Morrill, & M^r Tho^s Currier be Impowered to make Sale of the s^d Lands, And That the Produce thereof, or so much as Shall be necessary be improved for the Support of the s^d widow Challis & that the residue, if any be at her death be divided to the then Surviving Heirs. [*Passed June 6.*]

CHAPTER 9.

ORDER APPOINTING A COMMITTEE REFERRING TO SALISBURY MEETING HOUSE.

In Council.

UPON A HEARING of the Petition^{rs} and Agents for the Town [Salisbury]

Ordered That John Appleton, Thomas Noyes and Rich^d Saltonstall Esq^{rs} with such as shall be named by the Representatives Be a Committee to repair to Salisbury ; And upon hearing the Pleas and Allegations on both parts, fully to Determin the place where to Set up the New Meeting House now about to be built in & for the s^d Town ; Unless they find they can't do it to reasonable Satisfaction on both parts then to make their Report to this Court how the matter opens to them for the Courts Determination.

In the House of Representatives.

Read & Passd a Concurrence. & That Sam^l Appelton Esq^r M^r Cutting Noyes, & M^r Dan^l Rogers be Joind in thes^d affair. [*Passed June 7.*]

Legislative
Records of the
Council, ix.,
113. Mass.
Archives, xi.,
376.

Post, chap. 100.
Mass.
Archives, xi.,
373-378.

Legislative
Records of the
Council, ix.,
114. Mass.
Archives,
cxiii., 593.

Post, chap. 148.
Mass.
Archives,
cxiii., 592.

CHAPTER 10.

ORDER OF HEARING ON MILTON PETITⁿ FOR A TRACT OF LAND IN
ADDITION TO THEIR TOWNSHIP. [*Passed June 7.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 11.

ORDER APPOINTING A COMM^{TEE} TO VIEW LANDS AT LANCASTER PUR-
CHASED OF TOHANTO SAGAMORE. [*Passed June 7.*]

Legislative
Records of the
Council, ix.,
114.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 12.

ORDER OF HEARING GRANTED TO JA. PARRY.¹

Legislative
Records of the
Council, ix.,
115. Mass.
Archives, xl.,
945.

Mass.
Archives, xl.,
947-950.

UPON READING a Complaint of James Parry of Newport formerly of
Rehoboth against Ebenezer Allen & Matthew Mahew Clerk of Dukes
County for Issuing out & Causing to be levied an Execution against
the Complainant for the Sum of Thirty seven Pounds seventeen Shil-
lings upon a Suit for Seventeen Pounds thirteen Shillings;

Ordered That a Hearing be Granted upon this Peticon on the 2^d
Friday of the session of this Court the next Fall. And y^t Ebenezer
Allen the Plaintiffe And Matthew Mayhew Clerk of the inferiour Court
of comon Pleas in Dukes County, be served with a Copy of this Peti-
tion, & a summons to appear the day afores^d to answer to the Complaint
therein contained. [*Passed June 7.*]

CHAPTER 13.

ORDER IN REGARD TO CHELMSFORD MEETING HOUSE.

Legislative
Records of the
Council, ix.,
113. Mass.
Archives, xi.,
343.

Mass.
Archives, xi.,
347-350.

IN THE AFFAIR of the Meeting House of Chelmsford heard before the
whole Court, The Town are Directed to proceed in the Setting up their
New-Meeting House on or near the Spot where the old House now
stands and provide for the Charge of building and finishing the same
by a rate upon the whole Town as in other Town Charges.

And when the Petitioners and others that may settle distant from
the present Meeting House Shall be Judged capable to Support a Min-
ister and have leave so to do from This Court. The Charge of Build-
ing and finishing another Meeting House in that out part be rays'd upon
the whole Town in manner as aforesaid. [*Passed June 8.*]

¹ The petitioner signs his name as "Perry."

CHAPTER 14.

RESOLVE ON REPORT OF TORN & DEFACED BILLS BURNT.

UPON READING the Report of the Committee that sorted and tooke an Account of the number and Quantity of the Torn Useless & Unserviceable Bills of Credit Lying in the Treasury, and of the Twenty Shilling bills of 1702. date, drawn in. who were also Desired and appointed the 2nd current, to see the said Bills burn'd. viz^t That they had accordingly burn'd the s^d Bills, made up in bundles of the respective Sums following. That is to Say. In five Bundles.

Legislative
Records of the
Council, ix.,
111. Mass.
Archives, cl.,
391.
Ante, chap. 1.
Post, chap. 26.
Mass.
Archives, cl.,
389-391.

One Bundle q ^t {	1377 : — 40 ^s / . £2754.	One Bundle q ^t {	2352. 2 ^s / . £235. 4. —.
	415. — 20 ^s / . 415.		27. 4 ^s / . 5. 8. —.
	65. — £3. . 195.		18. 3 ^s /6. . 3. 3. —.
	66. — £5. . 330.		21. 3 ^s / . 3. 3. —.
			1. 50 ^s / . 2. 10. —.
		Parts of Bills	. . . . . 27. 9. 6.
			£276. 17. 6
One Bundle q ^t	3040. 10 ^s / . 1520.		6334. 7. 6.
One Bundle q ^t	3245. 5 ^s / . 811. 5.		330. 11. 3.
One Bundle q ^t	2473. 2 ^s /6 . 309. 2. 6.		10794. —. —.
			1038. 15. —.
The five per Cent Advance as received in			£18774. 11. 3.
In Twenty Shilling Bills 1702: Date			
In Twenty Shilling Bills 1702: Date			

Resolved That m^r James Taylor Treasurer be and hereby is Discharged of his Vouchers for £6611 „ 5 „ — part of the afores^d Sum of £18774. 11. 3. wth the five p^{er} Cent. advance on the £6611 — 5 — as they were received into the Treasury amounting to £6941. 16. 3 The other £11832 „ 15 „ — mentioned in the Committees Report being part of the Twenty Shilling Bills of Date. 1702. drawn into the Treasury by Exchange for such number of the £.15000: in the Twenty Shilling Bill of Date 1708 Imprinted and put into the Treasury for that Use. [*Passed June 9.*]

CHAPTER 15.

VOTE ACCEPTING REPORT OF Y^E COMM^{TEE} FOR Y^E EXPEDITION.

THE FOLLOWING REPORT of the Committee for the design'd Expedition to Canada &c: Read & Accepted by the Representatives; And Concurred, Viz,

Legislative
Records of the
Council, ix.,
117.
Post, chap. 16.
Mass.
Archives,
lxxi., 776, 794.

That nine Hundred effective Men besides Commission Officers be raised, to be under their own Officers, whereof not more than Eight Hundred to be English, And that if more than One Hundred Indians be procured, that so many English be dismiss^t & that all be return'd as soon as the Expedition is over: 2^{dly} That the private Soldiers & Seamen be paid as follows, Private Soldiers Eight Shillings per Week & Seamen Forty Shillings per Month, the Officers as well for the Land Service as the Sea to be raised proportionably: 3^{dly} That the Transports for this present Expedition which are between Fifty & One Hundred Tuns be paid after the Rate of seven Shillings a Tun per Month, the Owners to fit them: 4^{thly} That Provisions for One Hundred & twenty-six Days be laid in for Subsisting the Troops & Sailors that shall be raised in the Province: Sign'd, EL^M HUTCHINSON

In the Name & by Ord^r of the Committee. [*Passed June 11.*]

CHAPTER 16.

Legislative
Records of the
Council, ix.,
117. Mass.
Archives,
lxxi., 794.

Ante, chap. 15.
Post, chap. 23.
Mass.
Archives,
lxiii., 182;
lxxi., 778.

ORDER APPOINTING A COMMITTEE FOR TRANSPORTS &c.

Ordered That Major Thomas Fitch Captain Nathan^l Carey Captⁿ Charles Chambers M^r John Colman & M^r Oliver Noyes be a Committee for taking up and Equipping of the Transports Ships & Vessells for the intended Expedition, and to agree for building or buying of the Flat bottom'd Boats and whale Boats to be Speedily provided for the Same.

Any Three of the Said Committee to be a Quorum. [*Passed June 11.*]

CHAPTER 17.

RESOLVE ALLOWING £.80, TO HIS EX^{cy} FOR THE CHARGE OF HIS JOURNEY TO Y^E CONGRESS.

Legislative
Records of the
Council, ix.,
117. Mass.
Archives, iii.,
124.

Post, chap. 96.

Resolved That the Sum of Eighty Pounds, be Allowed, & Paid of the publick Treasury, to the order of His Excellency the Govern^r to Defray the charge of his Journey, to New London, to meet the Govern^{rs} of the neighbouring Provinces, to Concert the affairs of the designed Expedition, to Canada. [*Passed June 12.*]

CHAPTER 18.

RESOLVE ALLOWING £.10, 15, TO CPT. JOSIAH PARKER FOR ENTERTAINING CPT. SCHUYLER & Y^E MOHAWKS.

Legislative
Records of the
Council, ix.,
118. Mass.
Archives,
xxxii., 88.

Mass.
Archives,
xxxii., 87-89.

THE FOLLOWING VOTE pass'd in the House of Repres^{ves} upon the Petition & Accompt of Cpt. Josiah Parker for Entertainm^t of Cpt. Schuyler & the Mohawks bound for Great Brittain in the Year 1709: Viz,

Resolved That the Sum of Ten Pounds fifteen Shillings, & ten pence, be allowed & Paid out of the publick Treasury to Capt: Josiah Parker the Petitioner in full of his acc^o.

In Council. Read and Concurr'd. [*Passed June 12.*]

CHAPTER 19.

ORDER THAT ED^d CHAMBERLAINS WAGES BE P^d TO HIS WIDOW.

Legislative
Records of the
Council, ix.,
118. Mass.
Archives,
lxxi., 785.

Mass.
Archives,
lxxi., 786.

Ordered That the wages due to Edmund Chamberlain, upon Capt Abercrombies Roll, be paid to Margret Chamberlain widow relict, of the s^d Edmund Chamberlain. [*Passed June 12.*]

CHAPTER 20.

VOTE ALLOWING THE TREAS^{RS} ACC^{Ts}.

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver Gen^l of this Province beginning the 31st Day of May 1710, & continued unto y^e 30th Day of May 1711. Amounting unto the Sum of Ninety one Thousand two Hundred & twenty Pounds, thirteen Shillings & nine Pence having been presented & laid before the House of Representatives & inspected by the said House; By which it appears there was standing out on the said 30th of May of the sev^l Assessm^{ts} Ten Thousand five Hundred & sixteen Pounds & seven Shillings, As also of the Duties of Impost &c (as by Accompt received from M^r Daniel Russel Commissioner) fourteen Hundred & two Pounds & three Pence to be drawn into the Treasury & further to be accompted for,

Voted that the said Accompts in the sev^l Articles of Receipts & Paym^{ts} therein mentioned amounting unto the Sum of Sixty one Thousand nine Hundred forty three Pounds twelve Shillings & ten Pence be & hereby are approved & allowed of, And the said Treasurer is hereby discharged of the said Sum of Sixty one Thousand nine Hundred forty three Pounds twelve Shillings & ten Pence. [*Passed June 12.*]

Legislative
Records of the
Council, ix.,
118.

Mass.
Archives,
cxxii., 349, 377.

CHAPTER 21.

ORDER IMPOWERING ELIS^A THOMAS TO SELL LAND &c.

UPON READING the Petition of Elisabeth, Mercy & Ann Thomas Daughters of Edward Thomas Merchant by Elisabeth his first Wife Dec^d Setting forth that in Right of their said Mother, they are entitled to one Fifth Part of the Estate of their Grand-Father & Grand Mother M^r John & M^{rs} Elisabeth Winsley of Boston Dec^d enjoyed by their said Grand-Mother for Dower in Common with their four Aunts, And the Estate not admitting of a convenient Partition, their Aunts proposing to make Sale thereof & convert it into Money for a better Improvement, wherein they are Consenting, but being within Age, viz, the said Elisabeth Twenty Years old, Mercy Nineteen Years, Ann about Sixteen Years can not legally join in the said Sale; Praying to be Enabled by Order of this Court to join therein &c.

Ordered That the Prayer of the Petition be Granted; And the Pet^{rs} are fully Impowred to Joyne wth their Aunts in the Sale of the Estate in the said Petition mentione^d. And to Execute a good and Sufficient Deed Legally to convay and pass away their Right and Interest therein, their Nonage notwithstanding The Pet^{rs} part of the purchase money, to be paid into the hand of such person as they shall nominate for their Guardian to be Approv'd by the Judge of Probate. [*Passed June 13.*]

Legislative
Records of the
Council, ix.,
109. Mass.
Archives,
xvii., 268.

CHAPTER 22.

Legislative
Records of the
Council, ix.,
114. Mass.
Archives,
cxlii., 599.

Post, chap. 78.

ORDER APPOINTING A HEARING ON SWANZEY WEST INHAB^{TS} PETIT^N
FOR A TOWNSHIP. [*Passed June 13.*]

[*Printed with resolves, orders, etc., “granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries.”*]

CHAPTER 23.

ORD^R STATING THE PRICES OF PROVISIONS &c.

Legislative
Records of the
Council, ix.,
118.

Ante, chap. 16.
Post, chap. 24.
Mass.
Archives,
lxxi., 776, 794;
cxix., 244.

For the more effectually carrying on the present Expedition graciously
design'd by her Majesty for the particular Benefit & Advantage of her
good Subjects of these Provinces;

Ordered that no Provisions Liquors or other Things necessarily de-
manded for the Service be any Ways enhanced in the Price thereof by
Reason of that Occasion, But be had & taken for that Service at the
Ordinary Market Prices they stood at at the Time of the Arrival of
her Majesties Ships the eighth Curr^t with the certain Intelligence of
the said designed Expedition, That is to say,

Winter Wheat at five Shill^{gs} & six Pence \P Bushel.

Bread at twenty two Shillings \P Hundred.

Flower at twenty one Shillings \P Hundred.

Rice at thirty Shillings \P Hundred.

Pease at six Shillings \P Bushel.

Pork of New England at seventy Shill^{gs} \P Barrel.

— Carolina at sixty Shillings \P Barrel

Rum at three Shillings \P Gallon

Butter not exceeding seven Pence \P Pound.

And so for any other Species thô not Enumerated;

And that his Excellency the Governour be desired to move at the
Congress that the several Governments state the Prices of Provisions
Stores & other Necessaries Wanted for the designed Expedition, as
they were there before the News thereof: What is taken of particu-
lar Persons to be in Proportion by an Equality as near as may be.
[*Passed June 13.*]

CHAPTER 24.

ORD^R ABOUT ENTICING AWAY OR CONCEALING SOLDIERS &c.¹

Legislative
Records of the
Council, ix.,
121. Mass.
Archives,
lxxi., 796.

Ante, chap. 23.
Post, chap. 25.
Mass.
Archives,
lxxi., 777, 783,
784.

WHEREAS her Majesty for the Ease & Benefit of her good Subjects
in these Provinces & Colonies has been graciously pleased to order
an important Expedition with Sea and Land Forces from her Maj^{ties}
Kingdom of Great Britain to be joined by some of her Maj^{ties} Troops
of this Province against the common Enemy. And it being of the last
Consequence that the Sailers Marines & Soldiers retained in her Maj^{ties}
Service upon the said Expedition be held to their Duty, & be not en-
ticed away &, Do not Desert or withdraw them selves from the Service;
For better Prevention whereof,

It's *Ordered* That, for this extraordinary Occasion, and pro hac vice,
If any person or persons shall intice, harbour, conceal or convey away
any Sailer, marine or Souldier Enlisted or Retained in Her Ma^{ty's} Service

¹ Printed in the notes to Acts and Resolves of 1711–12, Province Laws, i., 686; reprinted here, as important.

for the said Expedition, and be thereof convicted, shall be punished by Fine or Imprisonm^t not exceeding Twenty Pounds Fine or Six months Imprisonment. for every such offence

& that this order be presently printed & published. [*Passed June 13.*]

CHAPTER 25.

ORD^R FOR BUYING UP A QUANTITY OF PORK & PEASE.

Ordered That Samuel Partridge Esq^r Be Desired & Impow^rd to procure and take up what Quantity of Porke and Pease may be had within the County of Hampshire, to be Secured for Her Ma^{ty}s Service, And to pass his Accompts for payment thereof, not exceeding Three pounds five Shillings p^r Barrell for Porke, and not exceeding five Shillings p^r bushell for Pease. Delivered at Hartford, And that he take care to have them Ship'd and sent to Boston Diracted to the Commissary General. [*Passed June 13.*]

Legislative
Records of the
Council, ix.,
122. Mass.
Archives,
lxxi., 798.

Ante, chap. 24.
Post, chap. 27.

CHAPTER 26.

ORD^R FOR IMPRINTING £.15000, & FOR EMITTING £.10000, BILLS OF CREDIT & £.15000.¹

Resolved That the Sum of Fifteen Thousand Pounds, of Bills of Credit on this Province, be further & forthwith made by the Committee last appointed, to make Such Bills & upon the Same Plates, with the Bills ordered to be made the last session, who Shall be paid for their making them, in the same proportion as for the last they made.

Legislative
Records of the
Council, ix.,
122. Mass.
Archives, ci.,
392.

Ante, chap. 14.
Post, chap. 45.

That the S^d Comittee, Deliver the Sum of Ten Thousand Pounds, to the Treasurer taking his receipt for the Same, & keep the remaining Five Thousand Pounds, in their hands unsign'd untill further order from this Court.

And the Treasurer is hereby Directed & Impow^red to Issue forth & Emit, the S^d Sum of Ten Thousand Pounds, together with the Sum of Fifteen Thousand Pounds, more of the Bills of publick credit, that are or shall be received into the Treasury, towards payment of the publick Debts, of the Province already contracted & the further growing charge for the Defence thereof, for Supplying, & subsisting of the Province Galley, Forts, Garrisons & Forces raised, & to be raised, & Imploied within the Same, & wages arising for their service, toward defreying the charge of the present Expedition to Canada (belonging to this Province) for payment of Grants, salaries, and Allowances made & to be made, by this Court, according to such Draughts as from time to time, Shall be made upon him by warrant, or order of the Governour, by, & with the advice & Consent of the Council, & the s^d Bills shall passe out of the Treasury, at the value therein expressed equivalent to money, & shall be Taken and accepted, in all publick Payments at the Advance, & after the Rate of five Pounds p^r cent. more.

And That the Duties, of Impost & Excise Shall be a Fund & security, for the Repaym^t & Drawing in, of the s^d Bills, to the Treasury again, So far as that will reach.

And as a further Fund & security for the Same, for the Paying of Souldiers wages & for Defreying of the further necessary grow-

¹ Printed in the notes to Acts and Resolves of 1711-12, Province Laws, i., 686; reprinted here, as important.

ing charge of the Province, the Defence of Her Majesty's Subjects, & Interests within the Same, & Support of the Government thereof, There be, and hereby is Granted unto Her most excellent Majesty, to the Ends & uses afores^d A Tax of Twenty five Thousand Pounds. Seventeen Thousand Pounds thereof, to be levied on Polls & Estates both reall, & personall, within this Province according to Such Rules, & in Such Proportion upon the Severall Towns, & Districts within the same, as shall be agreed on and & ordered, by the Great & Generall Court or Assembly of this Province, at their session in May 1715. & Eight Thousand Pounds thereof, at their Session in May 1716. To be paid in to the Treasurer, Six Thousand Pounds thereof on or before the last Day of May 1715. Eleven Thousand Pounds thereof on or before the last day of May 1716., & the remaining eight Thousand Pounds, on or before the last day of Novem^r 1716. [*Passed June 13.*]

CHAPTER 27.

ORDER ON COMMISSARY GEN^{LL} BELCHERS MEM^o.

Legislative
Records of the
Council, ix.,
123. Mass.
Archives,
lxxi., 798.

Ante, chap. 25.
Post, chap. 36.

UPON READING a Memorial offered by Andrew Belcher Esq^r Commissary Gen^l setting forth his Inability by Reason of Weakness & bodily Infirmary longer to sustain that Office, & Desiring to be Eased thereof,

Ordered That the Thanks of this Court be given to the Hon^{ble} the Commissary Generell, for his good Service in that Office, & that he be desired to Continue therein, & forward as much as may be the intended Expedition taking to himself such assistance as he finds needfull for this extraordinary occasion at the publick charge. [*Passed June 13.*]

CHAPTER 28.

Legislative
Records of the
Council, ix.,
124. Mass.
Archives, ii.,
161.

Mass.
Archives, ii.,
161.

VOTE REFERRING TO CHALLENGE MADE BY Y^E GOVERNMT OF RHOD ISLAND TO LANDS WITHIN THIS PROVINCE. [*Passed June 14.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 29.

GRANT OF £.250, TO HIS EX^{CV}.

Legislative
Records of the
Council, ix.,
124. Mass.
Archives,
cccl., 81.

Post, chap. 132.

Resolved That the Sum of Two Hundred, & Fifty Pounds, be Allowed & Paid out of the publick Treasury to his Excellency JOSEPH DUDLEY Esq^r Capt: Generall and Governour in chief, of this Her Majestys Province, for his Support in Managing the Affairs of the Government.

[*Passed June 14.*]

CHAPTER 30.

RESOLVE ALLOWING £.40, TO EACH OF THE JUDGES.

Resolved That there be Allowed & Paid out of the publick Treasury to the Hon^{ble} Wait Winthrop, Samuel Sewall, John Hathorne Jonathan Corwin, & John Walley Esq^{rs} to each of them, the sum of Forty Pounds for their service as Judges of the Superiour Court of Judicature the year curr^t ending the 10th of July next. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
124. Mass.
Archives,
cccl., 81.

CHAPTER 31.

RESOLVE ALLOWING £.225, TO M^R TREAS^R TAYLOUR.

Resolved that the Sum of Two Hundred & twenty five Pounds be allowed & paid out of Publick treasury to M^r James Taylour Treasurer of this Province for his Service in the said Office the Year past. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
125.

CHAPTER 32.

RESOLVE ALLOWING £.20, TO M^R WHITE CLERK OF Y^E HOUSE.

Resolved That the Sum of Twenty Pounds be Allowed & Paid out of the publick Treasury to John White Clerk of this House in part for his service the year currant. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
cccl., 80.

Post, chap. 135.

CHAPTER 33.

RESOLVE ALLOWING £.30, TO JA: MAXWELL DOOR-KEEPER.

Resolved That the Sum of Thirty Pounds, be Allowed, & Paid out of the publick Treasury, to M^r James Maxwell Doorkeeper to his Excellency the Govern^r & this Court for his service the year past, ending the eighth day of the present month. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
cccl., 80.

CHAPTER 34.

RESOLVE ALLOWING £.4., 12, TO SAM^{LL} MAXWELL MESSENGER.

Resolved That the sum of four Pounds twelve shillings, be Allowed, & Paid out of the Publick Treasury to Samuel Maxwell for his assisting his father M^r James Maxwell part of the last year & this, as Door-keeper to his Excellency the Govern^r & this Court. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
cccl., 80.

Post, chap. 170.

CHAPTER 35.

M^R COMMISSARY BELCHER ACCT^S ACCEPTED.

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
ccxliv., 81.

Post, chap. 143.
Mass.
Archives,
ccxliv., 76-81,
85; lxxi., 792.
Executive
Records of the
Council, v., 389,
390.

THE FOLLOWING ORDER pass'd in the House of Representatives upon the Account of M^r Commissary Gen^l Belcher; Read & Concurred; Viz,

The Accompts of Andrew Belcher Esq^r Commissary General contained in the four foregoing Folios, having been laid before the House & the Report of the Committee on the other Side chiefly consisting of Members of this House;

Ordered That the Report of the said Co^mittee be accepted & the s^d accounts be Pass^d & the Co^mmissary Generall be dischargd accordingly. [*Passed June 14.*]

CHAPTER 36.

ORDER ALLOWING SECR^y ASSISTANCE AT Y^E PUBLIC CHARGE.

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
xlvi., 421.

Ante, chap. 27.
Post, chap. 37.

Ordered That the Hon^{ble} M^r Secretary Addington, be allowed assistance at the publick charge, for the extraordinary occasion, of the intended Expedition. [*Passed June 14.*]

CHAPTER 37.

ORDER ALLOWING ADDITION TO THE TUNN^A OF TRANSPORTS.

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
lxiii., 183.

Ante, chap. 36.
Post, chap. 39.

Ordered That eight shillings p^r Tun be allowed to such vessells as are between sixty & one hundred & Thirty Tuns. [*Passed June 14.*]

CHAPTER 38.

ORDER DISMISSING M^R COLMAN & ADDING M^R GREENWOOD IN HIS ROOM IN THE COMM^{TEE} OF TRANSPORTS.

Legislative
Records of the
Council, ix.,
125. Mass.
Archives,
lxxi., 801.

Post, chap. 136.

Ordered That M^r John Colman be Dismiss'd from the Co^mittee of Transports & M^r Samuel Greenwood be Inserted into the s^d Co^mittee in his place. [*Passed June 14.*]

CHAPTER 39.

ORDER ALLOWING COMMISSARIES ON Y^E EXPEDITION Y^E PAY.

Legislative
Records of the
Council, ix.,
126.

Ante, chap. 37.
Post, chap. 40.

Ordered that a Chief Commissary be allowed Eight Pounds, his Assistant Six Pounds & a Steward for them three Pounds per Month in the intended Expedition. [*Passed June 14.*]

CHAPTER 40.

ORDER APPOINTING A COMM^{TE} FOR PHYSICIANS SURGEONS &c.

In the House of Representatives

Ordered That John Clark Esq^r Col: Samuel Checkley & M^r Oliver Noyes, be a Committee to Joine with such as the Hon^{ble} Board shall Ap-
point to Provide Physicians & surgeons to be Imploied in the present
Expedition, & to agree with them for their reward, & if any medicines,
or Surgeons stores are necessary, more than Her majesty has been
graciously Pleased, of Her Royall Bounty to furnish, that they take
care to Supply them.

In Council.

Read and Concurr'd without any Addition. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
126. Mass.
Archives,
lxxi., 802.

Ante, chap. 39.
Post, chap. 41.
Mass.
Archives,
lxxi., 779.

CHAPTER 41.

RESOLVE DESIRING THE GOVERNOR TO IMPOWER THE COMM^Y GEN^{LL}
TO IMPRESS PROVISIONS &c FOR THE EXPEDITION.

Resolved That His Excellency the Govern^r be Desired to Impower
the Com^{issary} Generall by his warrant, in pursuance, of the order of
this Court, to Take up & Impresse all Bread, Peas, Flesh, Rum, &
other Provisions necessary for the present Expedition, So far as is
necessary to furnish the Qvota of this Province, paying the established
Rates, And to Impresse all Bakers, Brewers, Coopers, &c^a who
cannot or will not Supply the Publick in their way at the stated prices,
& to Impresse all artificers & Labourers necessary, And all
sheriffs, their under officers & Constables are required to be aiding &
assisting therein. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
126. Mass.
Archives,
lxxi., 799.

Ante, chap. 40.
Post, chap. 42.
Mass.
Archives,
lxxi., 778.

CHAPTER 42.

RESOLVE ALLOWING EIGHT PENCE PER DIEM BILLET IN THE TOWNS.

UPON CONSIDERATION That it is very requisite the Souldiers to be
raisd for the intended Expedition be Qvartered near together, for the
Conveniency of their being Train'd & Disciplin'd & accommodated with
convenient Lodging for the Preserving of their health.

Resolved That for this extraordinary occasion, there be allowed eight
pence a day p^r man, for Billett, during their Lodging in the Towns,
from the time of their Generall Muster & being drawn out of their
Counties.

And That pro hac vice They be Qvartered on private Families, at
the Direction of the Select men, not exceeding Two, to a family (with-
out the Consent of the master or mistresse of such family) as well as
in publick licens^d Houses, any Law, or usage to the contrary notwith-
standing. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
126. Mass.
Archives,
lxxi., 803.

Ante, chap. 41.
Post, chap. 44.
Mass.
Archives,
lxxi., 778.

CHAPTER 43.

ORDER PROVIDING SHOT FOR CASTLE WILLIAM.

Legislative
Records of the
Council, ix.,
126.

Post, chap. 66.

AN INDENT presented by Adam Winthrop Esq^r Captain of her Majesties Castle William of Shot wanting for the said Castle; Viz, For sixteen Demy-Cannon, Ten Rounds of Round; Shot 32 Pounders 160, Thirty two Double Headed Shot for said Guns 32: Twelve Rounds of Round Shot 42 Pounders for four Cannon, 48.

Ordered by the Representatives, And Concurred in Council,

That the said Shot be provided as soon as may be at the cheapest Rate & paid for out of y^e Publick Treasury. [*Passed June 14.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FIFTH DAY OF JULY, A.D. 1711.

CHAPTER 44.

ORDER APPOINTING COMM^{RE} TO CONSIDER & PROPOSE A METHOD FOR
MAKING OUT A CREDIT FOR FORWARDING Y^E EXPEDITION.

In the House of Representatives

Ordered That Samuel Appleton, John Clark, Esq^r Maj^r Tho^s Fitch Addington Davenport Esq^r Capt: Thomas Hutchinson, James Warren, & Tho^s Oliver Esq^rs be a Committee to Joine with Such as the Hon^{ble} Board Shall Appoint, to Consider of his Excellency the Govern^{rs} Speech, & Propose what method they think most proper and effectually, for the making out the Credit therein Recommended, for the forwarding the most important Expedition now proceeding. To Sit forthwith, & make Report with all convenient Speed, & That the Treasurer be desired to attend the s^d Committee in the affair.

Sent up for Concurrence.

In Council.

Read and Concurr'd. &

Voted That Peter Sergeant, John Walley E^m Hutchinson, John Higginson and Andrew Belcher Esq^rs be of the Committee with the Gentⁿ named by the House in the Affair abovesaid. [*Passed July 5.*]

Legislative
Records of the
Council, ix.,
128. Mass.
Archives,
lxxi., 810.

Ante, chap. 42.
Post, chap. 46.

CHAPTER 45.

ORD^R FOR IMPRINTING £.40000, IN BILLS OF CREDIT.¹

THE COMMITTEE of both Houses appointed to Consider of the Credit recommended in his Excellency the Governours Speech for Forwarding the Important Expedition now proceeding for the Reduction of Canada

Humbly Propose

1: That Forty Thousand pounds in Bills of Credit on this Province be forthwith Imprinted Signed and put into the Treasury, and that there be a Loan of the Said Bills, or Such part thereof as may be Demanded for paying for provisions and other Necessarys procured by the Committee of this Government for her Majestys British Land and Sea Forces on the present Expedition to Such persons as will Subscribe to Supply his Excellency Generall HILL and the Hon^{bl} Admiral WALKER, the Said Persons Giving good Security to Returne the Value they Sub-

Legislative
Records of the
Council, ix.,
129. Mass.
Archives, ci.,
395.

Ante, chap. 26.
Post, chap. 57.
Mass.
Archives, ci.,
397-399; cxix.,
245.

¹ Printed in the Postscript to Province Laws, i., 902; reprinted here, as important.

scribe for into the Treasury in like Bills within Two years time. And also pay the Charge of Making the New Bills and the Treasurer is to take into the Treasury out of the Said Bills the Seven thousand pounds already Advanced.

2. That a Committee of both Houses be Appointed to Receive Subscriptions and to Approve of and take The Security to be Given to the Treasurer for the Returne of the Bills as above Mentioned.

3. That the Treasurer be Impowred to Borrow Bills of Credit of any Person willing to Lend the Same who shall be repaid as Soon as the New Bills be perfected.

4. That the Bills Imprinted for this Extraordinary Occasion as they are Drawn into the Treasury or the Like Value in other Bills of this Province be consumed and no further use to be made thereof

5. That the Committee appointed by this Court to Imprint and Signe the Bills of Credit on this Province be hereby Directed forthwith to proceed to the making and Finishing of the Bills hereby Ordered to be made

6. That the Exchange for the Advance of the Said Bills for the Extraordinary Occasion of the present Expedition be Regulated at £40 p^r Cent.

(Signed) PETER SERGEANT in the
Name of the Committee.

Read and Accepted in the House of Representatives and

Voted that Samuel Appleton John Clark Addington Davenport and Thomas Oliver Esq^{rs} be a Committee to joyne with Such as the Hon^{bl} Board shall Appoint to Approve of and Take Security for the Returne of the Bills that shall be Borrowed The Fourth and Fifth Articles being Added in Council

Concur^d by the Council and That Elisha Hutchinson Esq^r the Secretary and M^r Treasurer be of the Committee for the affair aforesaid, the Major part of the Committee, whereof Two of the Gentlemen named by the Council, be of the Quorum. [*Passed July 6.*]

CHAPTER 46.

ORDER ON ADVANCES OF THE PRICE OF RUM & PORK.

Legislative
Records of the
Council, ix.,
130. Mass.
Archives,
cxviii., 95 *bis*.

Ante, chap. 44.
Post, chap. 47.
Mass.
Archives,
cxix., 244, 245.

WHEREAS since the Stating of the Prices of Provisions Liquors &c^a necessarily demanded for the Service of the present Expedition Set by this Court in their former Session.

It appear's That the Rhum Imported cost an Extraordinary Rate in the Islands from whence it came.

Ordered That the Rum that has been or shall be Taken up, be set at 3/6 p^p Gallon & no more.

And since It is represented that Pork is set too low that what has been or Shall be Taken up be advanced five shillings p^p barrell.
[*Passed July 6.*]

CHAPTER 47.

ORDER DESIRING THE GOV^R TO MAKE OUT WARRANTS FOR THE IMPRESSING OF PROVISIONS &c.

WHEREAS several Quantities of Provisions & Liquors necessarily demanded for the Service of her Majesties British Forces by Sea and Land in the present Expedition, upon Search made have been found in the Hands of Particular Merchants & others & Directed to be kept for that Use;

Legislative
Records of the
Council, ix.,
131. Mass.
Archives,
lxxi., 811.

Ordered That his Excellency the Governo^r Be Desired to make out a Warrant or Warrants Directed to the Slieriffe, his Deputys and Constables, Requiring them or some of them to accompany and assist the Agent Victuallers of Her Ma^{ty}s said Forces, or such other person or persons as his Excell^{cy} the General, or the Hon^{ble} the Admiral shall Depute and Appoint to that Service for the taking up or Impressing such provisions and Liquors for the use aforesaid. The officers or Persons appointed or Deputed by the General and the Admiral to give their receipts for the several Quantity's of Each Specie which they shall take up and receive of every person and persons for Her Ma^{ty}s Service aforesaid, To be paid for at the Stated prices set by this Court.

Ante, chap. 46.
Post, chap. 49.

And in case any persons refuse to Expose their Provisions or Liquors to be taken for the Service aforesaid, to breake open the Dores of the Store-house, Store-houses, or Cellars where they are Lodged, to come at them. [*Passed July 7.*]

CHAPTER 48.

ORDER OF ADJOURNM^T OF HEARINGS.

Ordered that all Petitions & other Matters depending for a a¹ Hearing or Determination by this Court in their present Session be adjourned & put over to the ordinary Session in the Fall of the Year And such as have a Day assigned them for a Hearing be heard upon the same Day of the Week in that Session. [*Passed July 7.*]

Legislative
Records of the
Council, ix.,
131.

Post, chap. 169.

¹ *Sic.*

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE EIGHTEENTH DAY OF JULY, A.D. 1711.

CHAPTER 49.

Legislative
Records of the
Council, ix.,
133. Mass.
Archives, xl,
381.

Ante, chap. 47.
Executive
Records of the
Council, v., 411.

RESOLVE ALLOWING £.30, FOR NECESSARIES FOR Y^E CHAPLAINS.

Resolved That the Sum of Thirty Pounds be allowed, & Paid out of the publick Treasury to Furnish the two Chaplains, of the Troops of this Province, with necessaries for the intended Expedition to be equally divided between them. [*Passed July 18.*]

CHAPTER 50.

ORDER APPOINTING A COMMITTEE IN REGARD TO DESERTIONS.

Legislative
Records of the
Council, ix.,
133. Mass.
Archives,
lxxi., 812.

Executive
Records of the
Council, v., 413,
415.

In Council.

Ordered That a Committee be rays'd of members of both Houses to consider that part of his Excell^{cy}s Speech relating to the rendring the Act to prevent Desertions more Effectual and to increase the penalty thereof.

And that John Hathorne John Appleton and John Otis Esq^{rs} wth such as shall be named by the House of Representatives, be a Committee for the affair aforesaid.

In the House of Representatives

Read, & Concurr'd & Sam^l Appleton Esq^r M^r Benj^a Lynde, Samuel Thaxter Esq^r & M^r Tho^s Turner are Joined in the affair aboves'd. [*Passed July 18.*]

CHAPTER 51.

Legislative
Records of the
Council, ix.,
133.

Post, chap. 53.
Legislative
Records of the
Council, ix.,
133.

ORDER OF SUPPLIES FOR THE GEN^{LLS} & ADMIRALS TABLE.

Ordered that four fat Oxen, fifty Sheep & twenty Shoats with suitable Food for them be provided at the Publick Charge & put on Board for the Table of his Excellency the Gen^l & his Honour the Admiral in the intended Expedition, Craving their Acceptance. [*Passed July 19.*]

CHAPTER 52.

DIRECTION AB^T A NEW MEETING HOUSE INTENDED AT NEWBURY.

UPON READING a Petition of sev^{ll} of the Inhabitants of the West Precinct in Newbury Setting forth that some of their Neighbours are about to Erect an other Meeting House;

Advised and Directed That the persons named in the Petition and others Concern'd Desist their proceeding to the raysing of their intended Meeting House, until there be a Hearing of the matter before this Court. [*Passed July 19.*]

Legislative
Records of the
Council, ix.,
133. Mass.
Archives, xl.,
379.
Post, chap. 65.

CHAPTER 53.

ORDER APPOINTING A COMM^{TEE} TO PROVIDE THE PRESENT FOR THE GENERAL & ADMIRAL.

In Council.

Ordered That John Walley and Penn Townsend Esq^{rs} with such as the House shall name, Be a Committee to procure the PRESENT of live-Provisions with suitable food for them. Provisions Ordered by this Court for his Excell^{ty} the General and Admiral^s Table.

And that they Employ L^t Williams of Roxbury therein.

In the House of Representatives

Read & Concurr'd

Thomas How Esq^r being added to the S^d Co^mittee. [*Passed July 19.*]

Legislative
Records of the
Council, ix.,
134. Mass.
Archives, xlviii., 422.
Ante, chap. 51.

CHAPTER 54.

VOTE ACCEPTING THE SECURITY TAKEN FOR THE LOAN OF THE
£.40000.

A LIST of the Names of the Persons of whom Security is taken by the Committee for the Loan of the Forty Thousand Pounds for the Service of the Expedition; Viz,

Addington Dauenport & Paul Dudley Esq ^{rs}	£1400	"	"	"
Thomas Hutchinson Edw ^d Hutchinson & Jn ^o Ruck	"	4200	"	"
Thomas Fitch & John Borland	"	2500	"	"
Jeremiah Allen & James Gooch	"	1400	"	"
Samuel Appleton Mary Clark & W ^m Clark	"	2000	"	"
Gilbert Bant and Timothy Clark	"	1000	"	"
Edward Bromfield Esq ^r & Francis Burroughs	"	1000	"	"
John Clark Esq ^r & W ^m Clarke	"	2500	"	"
Peter Sergeant & Jeremiah Dummer Esq ^{rs}	"	2000	"	"
Thomas Savage & Habijah Sauage	"	500	"	"
James Warren & John Murdock	"	500	"	"
John Frizell & Jeremiah Allen	"	700	"	"
John Vallantine & John Cuttler	"	500	"	"
Edmund Knight & Ezekil Lewis	"	700	"	"
John White & James Pemberton	"	500	"	"
John Pitts & Susanna Jacobs	"	1000	"	"
Dauid Jeffries & Charles Shepreve	"	2000	"	"
Edward Martin & James Pitts	"	700	"	"
William Wealsteed & Daniel Oliuer	"	1000	"	"
Edward Lyde Esq ^r & Nicholas Roberts	"	700	"	"
Joseph Wadsworth & Richard Bill	"	740	"	"
William Hutchinson & Thomas Palmer Esq ^r	"	500	"	"

Legislative
Records of the
Council, ix.,
134. Mass.
Archives, cl.,
401.
Post, chap. 59.
Executive
Records of the
Council, v., 412.

Thomas Palmer Esq ^r & W ^m Hutchinson	£1000	" -
Abraham Blish & James Bowdoin . . . . .	.500	" -
Samuel Phillips & Wentworth Paxton . . . . .	.500	" -
Adam Winthroe & Addington Dauenport . . . . .	.500	" -
John Walley & Penn Townsend Esq ^{rs}	1400,	-
Anthony Stoddard & John Legg	" 1000	-
John Legg & Anthony Stoddard	" .500	" -
William Hutchinson & Thomas Palmer Esq ^r	" .500	" -
John Borland and Thomas Fitch	1500	" " -
Gyles Dyer and John Cutler	500.	
Andrew Belcher Esq ^r and Jonathan Belcher	2800	
Nathan ⁱ Paine & Simon Davis	700.	
Francis Clarke & Grove Hirst	560	"
	<hr/>	
	£40000	" - -

Voted That the Proceedings of the Co^mittee in this affair be accepted, & approved & the Thanks of this Court, given them for their good Service therein. [*Passed July 20.*

CHAPTER 55.

ORD^R TO PROVIDE SOLDIERS BEDS.

Legislative
Records of the
Council, ix.,
136. Mass.
Archives,
lxxi., s16.

UPON INFORMATION from Coll. Walton that they have but thirteen Beds to a Company, whereas there should be twenty five Beds to a Company ;

Ordered That Twelve Beds more for each Company of the Troops of this Province be provided, & put on board the Transports by the Co^mmissary Generall. [*Passed July 21.*

CHAPTER 56.

RESOLVE ALLOWING £.38 ¹¹/₁₀₀ 8, TO CPT. CHA. CHURCH.

Legislative
Records of the
Council, ix.,
136. Mass.
Archives,
lxxi., s14.

UPON READING the Petition of Captain Charles Church Praying Allow-
ance for his Expences & Travel in Raising of sevⁿ Indian Companies
for her Majesties Service in the present & former Expedition ;

Resolved That the Sum of Thirty eight Pounds eleven Shillings &
eight pence, be allowed & paid, out of the publick Treasury, to the
Petitioner for his Expences abovementioned in Raising of the Indians.
[*Passed July 21.*

Mass.
Archives,
lxxi., s18.

CHAPTER 57.

ORDER APPROVING A PROPOSAL FOR IMPRINTING £.10000, IN BILLS ON
Y^E FOOT WITH THE £.40000.

Legislative
Records of the
Council, ix.,
136. Mass.
Archives, ci.,
402.

THE HON^{BLE} COLL. NICHOLSON at the Desire of his Excellency Gen^l Hill
Proposing that there may be Ten Thousand Pounds more of the Bills.
of Credit imprinted upon the same Foot of the Forty Thousand Pounds
lately ordered to be issued on Loan to such Persons as shall subscribe
to supply his Excellency General Hill, & the Hon^{ble} Admiral Walker
for the Service of the present Expedition with the Value they subscribe
for and give Security to the Treasurer to return the like Sum in the
Bills of Credit on this Province within two Years Time; For w^{ch}
Bills of Exchange are to be drawn properly Home at the Advance of

Ante, chap. 45.
Post, chap. 106.
Mass.
Archives, ci.,
405. Legisla-
tive Records of
the Council,
ix., 136.

Forty Pounds per Cent; Genⁿ Hill intimating that so much of the Whole as shall not be demanded of the Gentlemen who supply him self & the Admiral, the Govern^r adjust the Accompts of what has been or shall be procured here on her Majesties immediate Service for the said Expedition & discharge the same out of the Remaining Money so subscribed to be supplied & Give Bills of Exchange Home to the Persons who supply it accordingly.

Ordered, that the Said Proposall be approved, & Put in Practice.
[*Passed July 21.*]

CHAPTER 58.

ORDER APPOINTING A COMM^{TEE} TO ATTEND GEN^{LL} HILL & ADM^L WALKER FOR Y^E FAV^{BLE} REPRESENTAT^N OF Y^E SERVICE OF Y^E GOVERN^{MT} TOW^{DS} Y^E PRESENT EXPEDIT^N.

In the House of Representatives

Ordered That Samuel Appleton, John Clark Addington Davenport Esq^{rs}, & Maj^r Tho^s Fitch & Cpt Thomas Hutchinson with Such as the Hon^{ble} Board Shall appoint be a Com^{tee} to Attend his Excellency Generall Hill, & Admiral Walker, humbly to Represent, the good Intentions of this Generⁿ Assembly in their sessions to put forward Her Majesty's service of such unspeakable benefit to the Crown of Great Britain, & to all Her Maj^{ties} good subjects in North America and to Pray of his Excellency & Honours; That they please to Represent them well, to Her Majesty, that they may have the Continuance of Her Royall favour towards them, and all Her Maj^{ties} good subjects of this Govern^{mt} with their Humble Thanks to Her majesty for Immploying such Hon^{ble} persons both for Prudence & Conduct, in the Comand of this Expedition, most heartily wish them good successe therein.

In Council.

Read and Concurr^d. And Elisha Hutchinson, Samuel Sewall, Peter Sergeant Esq^{rs} and the Secretary, appoint^d to be of the Committee for the affair aforesaid. [*Passed July 21.*]

Legislative
Records of the
Council, ix.,
137. Mass.
Archives,
lxxi., 817.

CHAPTER 59.

ORD^R FOR IMPRINTING £.10000, IN BILLS ON Y^E SAME FOOT WTH Y^E £.40000.

WHEREAS upon a Proposal made the twenty first Curr^t by the Honourable Lient. Genⁿ Nicholson from & at the Desire of his Excellency Genⁿ Hill, That Ten Thousand Pounds more of the Bills of Credit may be imprinted on the same Foot with the Forty Thousand Pounds lately ordered to be issued on Loan to such Persons as shall subscribe to Supply his Excellency Genⁿ Hill & the Hon^{ble} Admiral Walker for the Service of the present Expedition with the Value they subscribe for, and give Security to the Treasurer to return the like Sum in the Bills of Credit on this Province within two Years Time; For which Bills of Exchange are to be drawn properly Home at the Advance of Forty Pounds per Cent: Genⁿ Hill intimating that so much of the whole as shall not be demanded of the Gentlemen who supply him self & the Admiral, the Govern^r adjust the Accompts for what has been or shall be procured here on her Maj^{ties} immediate Service for the said Expedition & discharge the same out of the Remaining Money so subscribed

Legislative
Records of the
Council, ix.,
137. Mass.
Archives, ci.,
403.

Ante, chap. 54.
Post, chap. 171.

to be supplied & Give Bills of Exchange Home to the Persons who supplied it accordingly; This Court did agree thereto, & Vote the Putting of the said Proposal in Practice; W^{ch} Vote having been since shewn to his Excellency Gen^l Hill & the Hon^{ble} Admiral Walker, They have been pleased to signify their Approbation of the above Resolution of y^e Gen^l Assembly in Writing under y^e Hand;

Ordered That the same Committee that received the Subscriptions and took the Security for the said Forty Thousand pounds Be Appointed and Impowred in like manner to receive Subscriptions and take security for the Ten Thousand pounds herein mentioned

And the Committee Appointed by this Court to Imprint and Sign the Bills of Credit on this Province are hereby Directed forthwith to proceed to the making of the said Ten Thousand pounds of Bills & Deliver them to the Treasurer for the Ends afores^d which Bills or the like value in other Bills of this Province when they are paid into the Treasury again, are to be Consumed and no further use made of them; The Charge of making of the s^d Bills to be paid by the Subscribers. [*Passed July 24.*]

CHAPTER 60.

VOTE GRANTING £.20, TO JOHNSON HARMAN.

UPON READING the Petition of Johnson Harman of York late Prisoner at Quebeck, Praying Consideration of the great Fatigue & Expence he has been at & the poor Circumstances of his Family & Affairs

Voted That Twenty pounds be paid the petition^r out of the province Treasury. [*Passed July 24.*]

Legislative
Records of the
Council, ix.,
138. Mass.
Archives,
lxxl., 819.

Executive
Records of the
Council, v., 419,
473.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SECOND DAY OF AUGUST, A.D. 1711.

CHAPTER 61.

RESOLVE ALLOWING £.7¹⁰, TO ELEAZ: PHILLIPS.

Resolved That the Sum of seven Pounds ten Shillings, be allowed, & Paid out of the publick Treasury, to Eleaz^r Phillips to Discharge his acc^o abovementioned.¹ [*Passed August 22.*]

Legislative
Records of the
Council, ix.,
139. Mass.
Archives, xi.,
381.

CHAPTER 62.

RESOLVE ALLOWING £.405⁹ 5, ACC^o OF TRADES MENS BILLS FOR
Y^e TRANSPORTS.

AN ACCOMPT of Trades Mens Bills for Equipping the Transports for the present Expedition amounting to Four Hundred & five Pounds, nine Shillings & five Pence, Including an Article of Fifty Pounds for the Service of the Comm^{tee} with a Resolve pass'd thereon in the House of Repres^{ves} Viz,

Legislative
Records of the
Council, ix.,
140.

Resolved that the Sum of Four Hundred & five Pounds, nine Shillings & five Pence be paid to Major Thomas Fitch, Cpt. Nath^l Carey, Cpt. Charles Chambers, M^r Oliver Noyes & M^r Sam^l Greenwood the Com^{mittee} for that Affair, to discharge the accompts:

Ante, chap. 58.
Post, chap. 67.
Mass.
Archives,
ccxlv., 90.
Executive
Records of the
Council, v., 423.

In Council.

Read & Concurred. [*Passed August 23.*]

CHAPTER 63.

RESOLVE ALLOWING FREETOWN £.20, TOW^{ds} THE SUPPORT OF THE
MINISTRY.

Resolved That the Sum of Twenty pounds be Allowed, & paid, out of the publick Treasury towards the Support of the ministry, in the said Town of Freetown the year ensuing, if they have an orthodox minister, for that time, or in proportion for Such part of the year, as they have such a minister. [*Passed August 23.*]

Legislative
Records of the
Council, ix.,
140. Mass.
Archives, xi.,
381.

¹ For printing Mr. Thacher's election sermon.

CHAPTER 64.

ORDER DESIRING THE GOVERNOR TO APPOINT A DAY GUARD FOR Y^E POWD^R HOUSE IN BOSTON.

Legislative
Records of the
Council, ix.,
141. Mass.
Archives,
lxxi., 823.

Mass.
Archives,
lxxi., 822.

FOR THE BETTER SECURITY of the Province-Powder-House in Boston, & the publick Stores therein.

Ordered That his Excellency the Govern^r be Desired, to Appoint, one able Sober & Trusty Person, to Watch, & Guard the s^d House from Sun-Rise, to Sun-sett, during the present war with France, & Spaine, (Provision being already made for the Guard by night.) the charge to be paid out of the publick Treasury. [*Passed August 24.*]

CHAPTER 65.

ORDER ABOUT A MEETING HOUSE AT NEWBURY.

Legislative
Records of the
Council, ix.,
141. Mass.
Archives, xi.,
380.

Ante, chap. 52.
Post, chap. 105.
Mass.
Archives, xi.,
379.

UPON READING an Information Offered by Cap^{tn} Hugh March & sundry others Inhabitants of the Town of Newbury That several persons living in the West Precinct of the said Town have rays'd and in part covered a House intended for a Meeting House, Notwithstanding the Advice and Direction of this Court of the 19th of July past to desist their proceeding therein until there had been a Hearing.

Ordered That Samuel Bartlet, John Ordway, Deacon Joshua Brown, Joshua Baily Skipper Lunt and Pennel Titecombe be anew Served, by the Sheriffe with a Copy of the Order of this Court of the 19th of July past, Strictly forbidding them and their Associates proceeding in the worke of their intended Meeting House until thire be a Hearing of that Affair, as by the said Order is Directed.

And that the said persons be Summon'd, by the Sheriffe, to attend this Court on the second Wednesday of their Session in the Fall to answer for their Contempt of the afores^d Order. [*Passed August 24.*]

CHAPTER 66.

VOTE ACCEPTING THE COMMITTEES REPORT OF REPAIRS. & STORES FOR CASTLE WM.

Legislative
Records of the
Council, ix.,
141. Mass.
Archives,
lxxi., 820.

Ante, chap. 43.
Post, chap. 110.
Mass.
Archives,
lxxi., 821;
eviii., 98.

IN OBEDIENCE to the order of the Hon^{ble} Court on the other Side, we have been at Castle William, and viewed the state thereof. and are of opinion with the Committee of the Hon^{ble} Board, in their Report made the 31 of July last, as to what is necessary to be done, & Supplied there.

And further Propose That a large flat bottom'd Boat be forthwith built, & kept ready for the Transporting of Forces from Dorchester Neck to the Castle.

That twelvepence p^y day more than their wages be allowed to Such of the souldiers, as are improvd to Labour in the Repairs.

And That Two Hundred & Thirty Barrels of Powder be Purchased, & Added to the Province Stock. which is humbly Submitted

Boston August 24: 1711.

PENN TOWNSEND In the
Name of the Committee

In the House of Representatives
Read & accepted, excepting the article of Engineers.

In Council.

Read and concurr'd. [*Passed August 25.*]

CHAPTER 67.

RESOLVE ALLOWING ACC^o OF PHYSITIANS & CHIRURGEONS.

AN ACCOMPT of Messieurs' John Clark, Sam^l Checkley & Oliver Noyes Comm^{tee} for Physicians & Chirurgeons in the present Expedition for Advance Money Medicines & Stores for the Service amounting to One Hundred ninety nine Pounds & three Pence; Pass'd in the House of Representatives & allowed to be paid to the Comm^{tee} afore named to discharge their Accompt: [Viz.]

Legislative
Records of the
Council, ix.,
142. Mass.
Archives,
cxcliv., 92.

Ante, chap. 62.
Post, chap. 76.

Resolved That the Sum of One Hundred Ninety nine Pounds, & three-pence. be allowed & paid out. of the publick Treasury, to the Committee named on the other Side, to Discharge their account.

In Council.

Read and Concurr'd. [*Passed August 25.*]

CHAPTER 68.

ORDER ABOUT SALEM FORT.

UPON CONSIDERATION of that Paragraph in his Ex^{cies} Speech relating to y^e Fort at Salem;

Ordered That the s^d Town be advis'd forthwith to Put the s^d Fort into Repair, and if they find the charge rise too high for them to bear, That they Lay the account thereof before this Court, for their Consideration. [*Passed August 25.*]

Legislative
Records of the
Council, ix.,
142. Mass.
Archives,
lxxi., 824.

Executive
Records of the
Council, v., 430,
434.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE SEVENTEENTH DAY OF OCTOBER, A.D. 1711.

CHAPTER 69.

RESOLVE ALLOWING £.4. TO PETER SULLARD.

Legislative
Records of the
Council, ix.,
145. Mass.
Archives,
lxxi., 791.

UPON READING a Petition of Peter Soullard of Lieu. Coll: Ballantines Company in the Expedition for Reducing of Port-Royal the last Year, the Transport in which he went being cast away, when he lost his Chest & all his Cloaths;

Resolved That the Sum of Four Pounds be Allowed, & Paid out of the publick Treasury to Pierre Soullard the Petitioner. [*Passed October 18.*]

CHAPTER 70.

Legislative
Records of the
Council, ix.,
146. Mass.
Archives,
cxlii., 611.

ORDER OF HEARING ON MONOMOY PETITION TO BE MADE A TOWNSHIP. [*Passed October 19.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 71.

ORDER CONFIRMING A GRANT OF 300 ACRES OF LAND TO ELIS: HUTCHINSON. [*Passed October 19.*]

Legislative
Records of the
Council, ix.,
146. Mass.
Archives,
Plans, iv., 10.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 72.

ORDER GRANTING EZEK: LEWIS'S PETITⁿ.

Legislative
Records of the
Council, ix.,
147. Mass.
Archives,
xvii., 278.

UPON READING a Petition of Ezekiel Lewis of Boston Gentⁿ who intermarried with Abigail Relict of Roger Kileup late of Boston Merch^t Dec^d Setting forth that he has purchased the Right of the two Thirds of the Dwelling House, Ware-house & Land of the said Roger Kileup, Situate in Boston abutting on Cornhill street divided by the Dec^d unto his two Sons Roger & William Kileup. the other Third being devised to Abigail his Wife for Term of Life (who is still living) the Remain-

der thereof at his Wifes Decease to his Eldest Son Roger & his Heirs for Ever, both the said Sons being since dead William without Issue, Roger leaving Issue only one Daughter being a Minor of about five Years of Age, The said Dwelling House being lately desolated by Fire And the Ground containing but about twenty five Feet in Front, W^{ch} is too streight to admit more than one convenient Tenement, And being two Interests & uncertain to whom the Remainder may fall, no Purchase can be made thereof which is a Discouragem^t to erect a new Edifice thereon & so likely to ly void to the Damage of the Petitioner & the Publick; PRAYING that the Remainder of the said Third Part may be vested in him & his Heirs at a due & equal Apprizement to be made thereof:

Ordered That the Prayer of the Petition be Granted, And Penn Townsend Esq^r Cap^m Thomas Hutchinson & m^r Rich^d Draper are Desired and Impowred to view and Apprize the Land therein-mentioned, and Report the same under their hands to the Governo^r and Council, and to make Oath thereto.

And that a Bill be brought in to Vest the third part of the Land now the right of the Pet^rs wife, in the Pet^r Ezekiel Lewis and his heires for ever. The whole of the Land and the Building to be rays^d thereon to stand charged with paym^t of one third part of the appriz^d value of the whole, to the Daughter and only Issue of the Eldest Son, or such other in whome the right of the Remainder shall appear to be.

And that upon the Determining of his wives Term therein, the Pet^r pay Lawful Interest for the value of the third part of the Land to the person in whome the right is or may be, or their Guardian if within age

The OverSeers of m^r Kilcups Will to be Advised of the Apprizem^t.
[*Passed October 20.*]

CHAPTER 73.

VOTE ACCEPTING THE REPORT OF A COMMITTEE ON KITTELY HEAD BOUNDS. [*Passed October 23.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
148. Mass.
Archives, lli.,
421.
Ante, chap. 6.

CHAPTER 74.

ORDER GRANTING DORCAS PEGGE'S PETITION TO SELL LANDS.

UPON READING a Petition of Dorcas Pegge Relict Widow & sole Executrix of the last Will & Testam^t of Edward Pegge late of Boston Merch^t Dec^d PRAYING that she may be allowed to make Sale of a certain Piece of the s^d Dec^{ds} Land of about Fifty Feet in Length fronting on Salem Street between the Messuage or Tenement of the said Dec^d & the House & Land of the Widow Wadlen being distinct from the Yard & Garden of the Dwelling House & to execute a good & sufficient Deed in the Law for Conveying the same for her Comfort & Support:

On Consideration of the Will of the Dec^d

Ordered That the Prayer of the Petition be Granted. [*Passed October 23.*]

Legislative
Records of the
Council, ix.,
149. Mass.
Archives, xvii.,
280.
Mass.
Archives,
xvii., 281.

¹ In Legislative Records of the Council, ix., 148, the year is erroneously given as 1720.

CHAPTER 75.

ORDER DISCHARGING BOSTON OF PAYM^t FOR GUN POWDER EXPENDED
IN THE LATE FIRE.

Legislative
Records of the
Council, ix.,
150. Mass.
Archives,
lxxxvii., 27.

Post, chap. 102.

UPON READING a Petition of the Select Men of Boston PRAYING that the Town may be discharged from Paym^t for sixteen Barrels & an Half of Gun-Powder belonging to the Province expended in Blowing up of Houses in the Time of the late Fire to put a Stop to the Progress thereof; *Ordered* That the Prayer of the within Petition be Granted. [*Passed October 23.*]

CHAPTER 76.

ORDER THAT OFFICERS IN Y^e LATE EXPEDⁿ PAY FOR MAKING Y^e
CLOATHS.

Legislative
Records of the
Council, ix.,
151.

Ante, chap. 67.
Post, chap. 89.

THE ACCOMPT of Charge for Making up the Cloaths for the Commission Officers employed in the late Expedition intended for Canada, Having been laid before the House of Repres^{ves} & refused by them to be a Province Charge;

Ordered that M^r Commissary Gen^l do subduct the Cost of Making thes^d Officers Cloaths out of their Pay upon Making up y^e Muster Rolls thereof. [*Passed October 25.*]

CHAPTER 77.

ORDER APPOINTING A COMM^{tee} TO ENQUIRE AFTER LANDS GRANTED
TO THE USE OF THE MINISTRY AT SECONET SHEWAMET & POCASSET.

Legislative
Records of the
Council, ix.,
151. Mass.
Archives, xi.,
372.

UPON READING a Memorial of Nath^l Thomas Benjamin Church Esq^{rs} & M^r John Rogers, Survivers of the first Purchasers & Proprietors of the sevⁿ Tracts of Land formerly called & known by the Name & Names of Seconet, Pocasset & Shewamet within the County of Bristol, PRAYING That due Care & Direction may be had & given for Securing the Lands appropriated in the said Places respectively to the Use of the Minstry;

Ordered That Nathaniel Payne, Thomas Leonard Esq^{rs} m^r Nath^l Blagrove. and Capt^a Jerard Talbut be a Committee fully Impowred to Search and Inquire into the Records and Grants of the first Purchasers & Proprietors of the Lands of Seconet Pocasset and Shawamet And to Demand Copy's of such Lands and Lots as have been Granted and appropriated to the use of the Ministry in the s^d places; And to Informe themselves how the same are Improv'd, and whither any Encroachm^{ts} are made thereon And to make their Report upon the whole to the General Assembly to be held in may next. [*Passed October 26.*]

CHAPTER 78.

VOTE UPON THE PETITION OF SWANZEY INHAB^{TS} IN Y^E WESTW^D PART OF THE TOWN TO BE A DISTINCT TOWNSHIP. [*Passed October 26.*]

Legislative
Records of the
Council, ix.,
151. Mass.
Archives,
cxlii., 599.

Ante, chap. 22.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 79.

ORDER REVIVING AN ORDER OF HEARING ON KITTERY PETITION FOR SETTLEM^T OF THE MINISTRY IN THE LOWER PART.

THE FOLLOWING ORDER pass'd upon the Petition of the Inhab^{ts} of the lower Part of Kittery to be restored to their former Privileges to call, settle & maintain an orthodox Minister amongst them in the Year 1708: Viz.,

Legislative
Records of the
Council, ix.,
152.

Ante, p. 18,
chap. 38.
Post, chap. 163.

Ordered that the Inhab^{ts} of the Middle Part of the Town of Kittery be served with a Copy of this Petition to give Reason (if any they have) at the next Session of this Court, Why the Prayer of the Petition should not be granted: And now further

Ordered that the above written Order be revived (having not been served) And that there be a Hearing of the Petitioners & the other Party before this Court upon the second Wednesday of their next Session. [*Passed October 26.*]

CHAPTER 80.

VOTE ACCEPTING THE COMM^{TEES} REPORT ABOUT WITCHCRAFT.

To y^e Hon'd Gen^l Court Sitting.

WE WHOSE NAMES are subscribed, In Obedience to yo^r Hon's Act at a Court held y^e vlt of May 1710: for our Inserting y^e Names of y^e seuerall p^{rs}ons who were Condemned for witchcraft in y^e year 1692. & of y^e Damages they sustained by their prosecution.

Legislative
Records of the
Council, ix.,
152. Mass.
Archives,
cxxxv., 169.

Being Mett at Salem y^e 13th Sep^r 1710. for y^e Ends aforesaid upon examination of y^e Records of y^e Seuerall p^{rs}ons Condemned: Humbly Offer to yo^r Hon's the Names as Follow to be Inserted for y^e Reuers-

Post, chap. 92.
Executive
Records of the
Council, v., 475.

Execut.d:	{	ing of their Attainders: Elizabeth How: Georg Jacob. Mary Easty. Mary parker. M ^r George Burroughs: Giles Core & his wife. Rebettah Nurse. John Willard. Sarah Good. Martha Carriar Samuel Wardell.. John procter: Sarah Wild
Condemned & not Executed	{	Mrs Mary Bradbury. Abigail Falkner. Abigail Hobs. Ann Foster. Rebettah Eams. Dorcas Hoar. Mary post Mary Lacey. ¹

And haueing heard y^e Seuerall Demaunds of y^e Damages of y^e aforesd p^{rs}ons & those in their behalf, & upon Conferenc haue Soe Moderated their Respectiue Demaunds y^t we doubt not but y^t they will be Readily Comply^d wth by yo^r Hon's which Respectiue Demaunds are as follow. Elizabeth How 12^{li} Georg Jacob. 79^{li} Mary Easty. 20^{li} Mary

¹ Over each of the foregoing names there is a letter, apparently of the time of the text, to wit, one of the following, A, B, C, S, T, and W, though not in that order.

parker. 8th M^r Georg Burroughs. 50th Giles Core. & Martha Core his wife 21st Rebettah Nurse 25th Johu Willard. 20th Sarah Good. 30th Martha Carrier. 7th 6th Samuell Wardell & Sarah his wife 36th 15th John procter. & procter his wife 150th Sarah Wild. 14th M^{rs} Mary Bradbury. 20th Abigail Falkner 20th Abigail Hobs. 10th Ann Foster. 6th 10th Rebetta Eams. 10th Dorcas Hoar. 21st 17th Mary Post. 8th 14th Mary Lacey. 8th 10th the whole amounting vnto. 578th 12th

Salem. y^e 14th Sep^r 1710.

yo^r Hon^s most Humble Serv^{ts}

JOHN APPLETON
THOMAS NOYES
JOHN BURRILL
NEH: JEWETT

Read. and accepted. [*Passed October 26.*]

CHAPTER 81.

RESOLVE ALLOWING £.4, TO PETER SEACOMB.

Resolved That the sum of four Pounds be Allowed & Paid out of the publick Treasury to Peter secomb the Petition^r in full of his account. [*Passed October 26.*]

Legislative
Records of the
Council, ix.,
153. Mass.
Archives,
lxxi., 831.

Mass.
Archives,
lxxi., 832.

CHAPTER 82.

RESOLVE GRANTING JN^o STERNES &c PETITION.

UPON READING a Petition of John Stearnes setting forth that his Son Isaac Sternes & John Shed & William Peacock all of Billerica proceeded in the Expedition to Port-Royal under Command of Lieu^t Collonel John Ballantine & were unhappily shipwreck'd in the Transport commanded by Cpt. Tay lost their Lives, Arms & Clothes &c; PRAYING Consideration for the said Losses to be paid with their Wages to the Petitioner John Sternes for his Son Isaac, to John Shed, for his Son John Shed, & to Samuel Peacock for his only Brother William Peacock;

Resolved That there be allowed & Paid out of the Publick Treasury to the Petitioner the wages due to his Son Isaac, with twenty Shillings, for his Gun & the like to the rest as prayed for in the Petition. [*Passed October 26.*]

Legislative
Records of the
Council, ix.,
153. Mass.
Archives,
lxxi., 788.

Mass.
Archives,
lxxi., 789.

CHAPTER 83.

ORDER DIRECTING NATHANIEL BLAGROVE TO ASSIST CONSTABLE DEVOTION, AS AN ATTORNEY AT RHOD ISLAND COURT.

WHEREAS John Devotion Constable of Attleborô. in the County of Bristol within this Her Ma^y^s Province was sometime since Interrupted in the due Execution of his Office, within the s^d Town of Attleborô. by some of Providence People within the Govern^t of Rhode-Island and Providence Plantation, forceably Seized on and carry'd before one of the Magistrates of that Governm^t and committed to the Sheriffe with a Mittimus to Imprison him, and put under necessity to keep himselfe from Prison, to Engage to appear at the General Court Next to be holden at Warwick

Legislative
Records of the
Council, ix.,
154. Mass.
Archives,
ccclxxxvii., 7.

Arnold's His-
tory of the
State of Rhode
Island, ii., 45.

Ordered That m^r Nathaniel Blagrove be Desired to appear with the s^d Constable Devotion at the Court afores^d and to Assist him in his Pleas for his Justification, and to assert the just Right and Jurisdiction of this Governm^t to the Township of Attleborô. having been actually under the Jurisdiction of the late Governm^t of the Colony of New Plymouth now Incorporated into this Province for fourscore year's by past. To which this Governm^t will abate no part of their just claim without Her Ma^y's Especial Direction. [*Passed October 26.*]

CHAPTER 84.

RESOLVE ALLOWING £.4,, 7, TO NOAH PECK.

Resolved that the Sum of Four Pounds & seven Shillings be allowed & paid out of the Publick Treasury to Noah Peck a Lieutenant in the last Years Expedition for the Reducing of Port-Royal to reimburse him his Charge on his Sickness at his Return. [*Passed October 27.*]

Legislative
Records of the
Council, ix.,
154.

Mass.
Archives,
lxxi., 770.
Legislative
Records of the
Council, ix., 95.

CHAPTER 85.

RESOLVE ALLOWING £.12, TO JN^o ANDREWS.

Resolved that the Sum of Twelve Pounds be allowed and paid out of the Publick Treasury to John Andrews of Boxford in full for his Time Charge & Expence for a Cure of a Hurt received in his Leg whilst in her Majesties Service. [*Passed October 27.*]

Legislative
Records of the
Council, ix.,
154.

Mass.
Archives,
lxxi., 850-852.

CHAPTER 86.

RESOLVE ALLOWING TO CPT. PHIPS & CPT. GOOKIN £.5, EACH.

Resolved that the Sum of Five Pounds each be allowed & paid out of the Publick Treasury to Cpt. Samuel Phipps & Cpt. Samuel Gookin in full for their Service of Attending her Majesties Camp at Noddles Island to prevent Extortion in the Sale of Victuals or Exchange of Money. [*Passed October 27.*]

Legislative
Records of the
Council, ix.,
154.

Mass.
Archives,
lxxi., 834.

CHAPTER 87.

RESOLVE ALLOWING £.4, TO EDWARD SERGEANT.

Resolved that the Sum of four Pounds be allowed & paid out of the Publick Treasury to Edward Sergeant of Newbury in full of his Accompt of Ferriages for her Maj^y's Service. [*Passed October 27.*]

Legislative
Records of the
Council, ix.,
155.

Mass.
Archives,
ccxliv., 86.

CHAPTER 88.

Legislative
Records of the
Council, ix.,
155.

Mass.
Archives,
ccxiv., 87.

RESOLVE ALLOWING £.2 *ii* 15, TO RICH^d JACKMAN.

Resolved that the Sum of Fifty five Shillings be allowed and paid out of the Publick Treasury to Richard Jackman of Newbury in full of his Acc^t of Ferryages on her Maj^ys Service. [*Passed October 27.*]

CHAPTER 89.

ORDER OF ENCOURAGEM^t TO CPT. GILBERT &c PILOTS TO GO TO G^t BRITAIN, AND FOR A COMM^{tee} TO TREAT WITH Y^e PILOTS.

Legislative
Records of the
Council, ix.,
155. Mass.
Archives,
lxiii., 174.

Ante, chap. 76.
Post, chap. 94.
Mass.
Archives,
lxiii., 200.

In the House of Representatives.

WHEREAS It is of Importance that what relates to the Pilotage of the late Expedⁿ to Canada, be truly, & fully Represented at Whitehall. And That if Her Maj^y in Her Royall Wisdom, Shall See meet to renew the Expedⁿ thither, and to order the Fleet to Proceed directly, without first coming to this place: Some able Pilots may be there ready for that service.

Ordered That Capt: Thom^s Gilbert Capt: Zach^a Fowle, & Capt: Jeffry Bedgood Capt: Rich^d Harris & Capt: Jn^o Jenkins be obtained to Proceed on the Adventure man of War to Great Britain, for that end, & that their necessary charges &c meet recompence for their time be allowed out of the publick Treasury.

In Council.

Read and concurr'd. And the Representatives are Desired to appoint some of their members to Treat with the said Pilots about their going And for their Encouragem^t and Reward.

In the House of Representatives Read. &

Ordered That Capt: simon Davis, Capt: Thom^s Hutchinson, & Capt: James Warren be a Com^{tee} for the s^d affair. [*Passed October 27.*]

CHAPTER 90.

Legislative
Records of the
Council, ix.,
156.

Mass.
Archives,
ccxiv., 97.

RESOLVE ALLOWING £.4 *ii* 10 *ii* 4, TO AMOS MARRET.

Resolved that the Sum of Four Pounds ten Shillings & four Pence be allowed & paid out of the Publick Treasury to Amos Marrett in full of his Accompt for Sickness & Funeral Charge of Ensign Jon^a Moor late return'd from the Service of the Expedⁿ. [*Passed October 30.*]

CHAPTER 91.

Legislative
Records of the
Council, ix.,
156.

Mass.
Archives,
ccxiv., 93.

RESOLVE ALLOWING £.2 *ii* 9, TO JOSIA: EATON.

Resolved that the Sum of Forty nine Shillings be allowed & paid out of the publick Treasury to Joshua Eaton in full of his Accompt for Sickness & Funeral Charges of his Servant Eleazar Mac-Gregory late returned from the Service of the Expedition. [*Passed October 30.*]

CHAPTER 92.

RESOLVE ALLOWING £6⁰ 3, TO JN^O APPLETON ESQ^B &c A COMM^{TEE}.

Resolved That the Sum of Six Pounds & three Shillings be Allowed, & Paid out of the publick Treasury, to John Appleton Esq^r to Discharge the said acc^o.¹ [*Passed October 30.*]

Legislative
Records of the
Council, ix.,
156. Mass.
Archives,
cxxxv., 171.

Ante, chap. 80.

CHAPTER 93.

RESOLVE ALLOWING £4⁰ 5⁰ 9, TO SAM^{LL} OLDHAM.

Resolved that the Sum of Four Pounds five Shillings & nine Pence be allowed & paid out of the Publick Treasury to Sam^{ll} Oldham for Sickness & Funeral Charges of his Servant Joseph Green a Soldier lately return'd from the late Expedition intended to Canada. [*Passed October 31.*]

Legislative
Records of the
Council, ix.,
157.

CHAPTER 94.

VOTE APPROVING A JOURNAL OF Y^E PROCEEDINGS REFERRING TO Y^E EXPEDITION; TO BE SENT HOME.

AN ABSTRACT of the Journal of the Proceedings of the Governour, Council & Assembly in Obedience to her Majesties Royal Commands for Assisting the Expedition under the Command of the Hon^{ble} John Hill Esq^r Commander in Chief &c for the Reduction of Canada & Newfoundland.

Legislative
Records of the
Council, ix.,
157.

Ante, chap. 89.
Post, chap. 95.

Read & Approved & Concurred by the Representatives to be sent to Whitehall. [*Passed October 31.*]

CHAPTER 95.

VOTE APPROVING A MEM^O REFERRING TO PILOTS IN Y^E LATE EXPEDITION.

A MEMORIAL of the Proceedings referring to the obtaining of Pilots for the Service of the Expedition above-said: Read & Approved & Concurred by the Representatives to be sent to Whitehall. [*Passed October 31.*]

Legislative
Records of the
Council, ix.,
157.

Ante, chap. 94.
Post, chap. 95.

CHAPTER 96.

VOTE OF ADVICE FOR A CONGRESS OF THE SEV^{LL} GOVERN^{RS} REFERRING TO Y^E WAR.

In the House of Representatives.

IN ANSWER to the Motion of the Hon^{ble} Generall NICHOLSON, yesterday.

This House is of Opinion, That all the Neighbouring Governments ought from the beginning of the War, to have assisted, & United, in a mutuall Defence: and annoyance of the common Enemy.

Legislative
Records of the
Council, ix.,
157. Mass.
Archives,
lxxi., 855.

Ante, chap. 17.
Post, chap. 114.

¹ This account shows the expenses of the Committee of enquiry concerning attainers of witchcraft and damages therefor.

And are now humbly of Advice that there be Speedily a Meeting of Her Majesty's Governours, Directed by Her Royall Instructions to Assist, in the late intended Expedition to Canada, attended with Such Persons as the Severall Governments Shall Appoint, to Consider of, & Concert Methods, for the present Defence: & Prosecution of the War, particularly by engaging the Five nations of Maqua-Indians, against the French.

And to Adjust, & Apportion the charge, that has been, or Shall be accruing from the War, in the most eqvall manner that may be

In Council.

Read and Concurr'd. [*Passed* October 31.*]

CHAPTER 97.

RESOLVE ALLOWING NATH^{LL} WILSON £.1 „ 19 „ 4, FOR FERRYAGE.

Legislative
Records of the
Council, ix.,
158. Mass.
Archives,
ccci., 82.

Resolved That the Sum of one Pound nineteen Shillings & four pence, be allowed & paid out of the publick Treasury, to, Nathaniel Wilson in behalfe of himself, & the other Ferry men as due. [*Passed November 1.*]

CHAPTER 98.

Legislative
Records of the
Council, ix.,
158. Mass.
Archives,
ccxli., 88.

RESOLVE ALLOWING SAM^{LL} PHIPPS. £.1 „ 2 „ 3, CHARGE OF TRANSPORT-
ING SOLDIERS.

Ante, chap. 95.
Post, chap. 112.

Resolved That the Sum of One Pound two Shillings, & three pence be allowed, & Paid out of the Publick Treasury, to Capt: Samuel Phipps in full to Defray this acc^o. [*Passed November 1.*]

CHAPTER 99.

RESOLVE ALLOWING M^R PARIS MINISTER OF DUNSTABLE £.10.

Legislative
Records of the
Council, ix.,
158. Mass.
Archives, xl.,
382.

Resolved That the Sum of Ten Pounds, be Allowed, & Paid out of the Publick Treasury, to M^r Samuel Parris, for halfe a Year's Service, ending the first day of Oct^r last. [*Passed November 1.*]

CHAPTER 100.

ORDER ACCEPTING REPORT OF THE COMMITTEE ON THE LOCATION
OF THE SALISBURY MEETING HOUSE.

Legislative
Records of the
Council, ix.,
155. Mass.
Archives, xi.,
391.

Ante, chap. 9.

A REPORT of the Committie Apointed by the Gener^{ll} Court in May Session's 1711. On the Affaire of the. Meeting House in Salsbury

On the 15. Augs^t . „ the Comitte did Repaire to Salsbury & with a Comittie of boath party's of the Inhabitants of y^e s^d Town did Veieue y^e whole Town from End to End: & do find it vnhappily Seituated & Settled y^e most part of y^e People are Seated at y^e East & Westt End. y^e Middle p^t of y^e Town is barren Soyle. & fue y^t dwell vpon it not being convenient to accomidating of y^e Ministe' or people. ; and to carrie y^e

House to y^e West End of y^e Town as they had VOTED : w^{ch} is three Mile from y^e Old Meeting House it would remove all y^e first Planters's from y^r Originall Prevelidg's w^{ch} is contrāy to y^e regard y^t Vsally hath been had to y^e antiant Settlements,

Wee Humbly Offer o^r Opinions to yo^r Excell^{cy} & this Honor^{bl} Court. that to Sett a House to accomodate y^e whole Town is verry Impracticable In process of Tyme (wth God' blessing) y^e inhabitants of y^e West End will be necessitated to build a House; but for y^e present ease & conueniancy to Erect a House abo^t a Mile Westward from y^e old Meeting House at a place called Hubbards Plaine will abate considerable travill of the Westt Inhabitants & accomodate y^e Lower & anciant Settlements wⁿ Sepperat^d from y^e vpper

Thus Submitting o^r Opinuin to yo^r Excell^{cy} & this Honorab^{le} Court Wisdom & Judgm^t

JOHN APPLETON
THOMAS NOYES
CVTTING NOYES
DAN^l ROGERS.

Read and Accepted. [*Passed November 2.*]

CHAPTER 101.

RESOLVE ALLOWING £.1., 19., 11, TO JOHN HOUGHTON.

Resolved That the Sum of One Pound nineteen Shillings, & 11^d be allowed & Paid out of the Publick Treasury to M^r John Houghton for the aaccountant David Whetcomb.¹ [*Passed November 2.*]

Legislative
Records of the
Council, ix.,
159. Mass.
Archives, cl.,
86.

CHAPTER 102.

RESOLVE GRANTING TO CERTAIN PERSONS OF BOSTON ABATEM^t IN PART OF Y^E TAX.

UPON READING a Petition of Samuel Lynde Esq^r & several of the Inhabitants of Boston for them selves & others whose Houses & Shops & much of their Substance were consumed by the late dreadful Fire, PRAYING an Abatem^t of their Proportion assessed to the Province Tax, Certified by the Assessors' to amount to the Sum of Three Hundred & nine Pounds three Shillings & six Pence

Resolved That the Praier of the Petition be Granted. [*Passed November 2.*]

Legislative
Records of the
Council, ix.,
159. Mass.
Archives,
lxxxvii., 29.

Ante, chap. 75.
Post, chap. 131.

CHAPTER 103.

VOTE ALLOWING COUNTY TREASURERS ACC^{ts}.

SEVERAL ACCOMPTS of the respective County Treasurers of Suffolk Plymouth Barnstable & Bristol of their several County Rates of the aforegoing Years: Allowed by the House of Representatives: Read & Concurred. [*Passed November 2.*]

Legislative
Records of the
Council, ix.,
159.

Legislative
Records of the
Council, ix.,
108.

¹ From this word on the Secretary's record reads "for subsisting & physick to several sick soldiers under the command of Cpt William Tyng in the years 1707, 1708 & 1710." — Legislative Records of the Council, ix., 159.

CHAPTER 104.

RESOLVE DIRECTING THE TREAS^R TO PURCHASE £.200, IN BILLS FOR M^R AGENT DUMMER.

Legislative
Records of the
Council, ix.,
159. Mass.
Archives, xx.,
180.

Resolved That the Treasurer be Directed to Purchase good Bills of Exchange for Two Hundred Pounds Sterling, to be paid to M^r Jeremiah Dummer in London, Agent for this Province, to Enable him to Negotiate the affairs y^t of. [*Passed November 2.*]

CHAPTER 105.

ORDER AGAINST PROCEEDING WITH BUILDING A MEETING HOUSE AND IN REGARD TO THE DIVISION OF NEWBURY INTO TWO PRECINCTS.

Legislative
Records of the
Council, ix.,
159. Mass.
Archives, xl.,
391.

Ante, chap. 65.

UPON HEARING the Case of Newbury referring to the House late pretended to be raised for the publick Worship of God, on or near deacon Joshua Brown's land, contrary to the direction of this Court; of which there, is no present Necessity:

It is *ordered* that the building of the said House, be not upon any pretence whatsoever further proceeded in; but that the division of the Town into two Precincts between the Old Meetinghouse, and that upon Pipe-staff Hill, be the present division of the Auditory, and is hereby Confirmed and Established; and persons concerned are to yield Obedience accordingly: And that the Disorders that have been in the proceedings about the said House on Brown's land, be referred to the next Session of the Peace in Essex. [*Passed November 2.*]

CHAPTER 106.

RESOLVE ORDERING THAT £.8000, IN BILLS OF CREDIT BE EMITTED AND PROVIDING A FUND AS SECURITY THEREFOR.¹

Legislative
Records of the
Council, ix.,
160. Mass.
Archives, ci.,
406.

Ante, chap. 57.
Post, chap. 155.

Resolved That the Sum of Five Thousand Pounds of Bills of Credit on this Province ordered by this Court in June last to remain unsign'd in the hands of the Committee that made them untill further order. be forthwith Sign'd, & Delivered to the Treasurer.

And The Treasurer, is hereby Directed and Impowered to Issue forth, & Emit the S^d Sum of Five Thousand Pounds, together with the Sum of Three Thousand Pounds more of the Bills of publick Credit, that are, or shall be received into the Treasury, towards payment, of the publick Debts of the Province, already contracted, & the further growing charge, for the Defence thereof for Supplying & Subsisting, of the Province Galley & sloop Forts. Garrisons & Forces, raised, & to be raised, & imploied within the same, & wages arising, for their Service, towards defreying, the charge of the late intended Expedⁿ to Canada (belonging to this Province.) for payment of Grants, Salaries, & Allowances, made & to be made, by this Court, according to Such Draughts, as from time, to time, Shall be made upon him by warrant, or order of the Govern^r by & with the advice & Consent, of the Councill, & the S^d Bills, Shall Passe out of the Treasury, at the value therein expressed,

¹ Printed in the notes to the Acts of 1711-12, Province Laws, i., 687; reprinted here, as important.

equivalent to money, & Shall be Taken & accepted, in all publick Payments, at the advance, & after the rate of five Pounds *per* cent. more.

And That the Duties; of Impost, & Excise shall be a Fund, & Security, for the Repayment, & Drawing in of the s^d Bills, to the Treasury again, So far as that will reach.

And as a further Fund, & Security, for the Same, for the Paying of Souldiers wages, & for Defreying of the further necessary growing charge of the Province, the Defence of Her Majesty's Subjects, & Interests within the Same, & Support of the Government thereof. There be, & hereby is Granted, unto Her most Excellent Majesty, to the ends, & Uses aforesaid a Tax of Eight Thousand Pounds, to be Levied on Polls, & Estates, both real, & personall, within this Province according to Such Rules, & in Such Proportion, upon the Severall Towns, & Districts, within the Same, as Shall be Agreed on, & ordered, by the Great & Generall Court, or Assembly of this Province, at their Session in May 1716, To be paid into the Treasurer: Three Thousand Pounds thereof, on or before the last day of Nov^r 1716, and the remaining Five Thousand Pounds thereof, on or before the last Day of May 1717. [*Passed November 3.*]

CHAPTER 107.

VOTE APPOINTING A THANKS-GIVING.

UPON A MOTION from the House of Representatives;

A Proclamation was drawn up & signed by his Excellency for a Publick Thanks-Giving to be celebrated upon Thursday the twenty ninth Curr^t And the Council advised thereto. [*Passed November 5.*]

Legislative
Records of the
Council, ix.,
162.

Love's
Fast and
Thanksgiving
Days of New
England,
p. 487.

CHAPTER 108.

ORDER OF HEARING ON SAM^{LL} BAYLEYS PETITION.

[UPON READING] A Petition of Samuel Bailey Administrator cum Testamento annexo de Bonis non of the Estate of John Smith heretofore of Dorchester Deceased, PRAYING Licence for Selling Lands for Defraying the Charge of the Support, Sickness & Funeral of his Widow;

Ordered That the Pet^r Notify the other Children of the dece^d of this Pet^{con} and Demand, And that they be heard before this Court on Friday the 9th currant, if this Court continue Sitting otherwise on the Second Friday of the next Session. [*Passed November 6.*]

Legislative
Records of the
Council, ix.,
161. Mass.
Archives,
xvii., 298.

Post, chap. 146.
Mass.
Archives,
ccxlii., 69, 70.

CHAPTER 109.

ORDER ESTABLISHING A NEW TOWN NAMED NEEDHAM. [*Passed November 6.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
162. Mass.
Archives,
cxlii., 623.

Mass.
Archives,
cxlii., 620-629.
Legislative
Records of the
Council, ix.,
158.

CHAPTER 110.

ORDER APPOINTING A COMMITTEE TO VIEW CASTLE WILLIAM.

Legislative
Records of the
Council, ix.,
163. Mass.
Archives,
lxxi., 861.

Ante, chap. 66.
Post, chap. 124.

Ordered That Elisha Hutchinson Penn Townsend and Andrew Belcher Esq^{rs} with such as shall be named by the Representatives, Be a Committee to repair to Castle William, to see the workes lately done there, And what may be further necessary. And that they go down too morrow.

In the House of Representatives

Read & Concurr'd, & Addington Davenport Esq^r M^r Benj^a Lynde. Josiah Chapin Esq^r M^r William Denison, & Capt. Samuel Phipps. Join'd for the aff^r above mentioned. [*Passed November 6.*]

CHAPTER 111.

RESOLVE ALLOWING 20/, TO JOS. TITUS.

Legislative
Records of the
Council, ix.,
163. Mass.
Archives,
lxxi., 738.

Mass.
Archives,
lxxi., 739, 740.

Resolved That the Sum of Twenty Shillings, be Allowed, & Paid out of the Publick Treasury, to Joseph Titus,¹ for the Gun mentioned in this Petition. [*Passed November 6.*]

CHAPTER 112.

RESOLVE PROVIDING PECUNIARY ENCOURAGEMENT TO CPT. GILBERT & PILOTS IN Y^e LATE EXPEDITION TO GO TO G^t BRITAIN.

Legislative
Records of the
Council, ix.,
163. Mass.
Archives,
lxxiii., 208.

Ante, chap. 98.
Post, chap. 128.
Mass.

Archives,
lxxiii., 198, 199;
cccl., 84. Leg-
islative Rec-
ords of the
Council, ix.,
144, 146 *bis*, 148
bis, 149, 151.

FOR THE ENCOURAGEMENT & Support of Cpt. Thomas Gilbert, Richard Harris & Jeffrey Bedgood three of the Pilots ordered by this Court to proceed to Great Britain in the Adventure Frigott (the other two, viz, Cpt Fowle & Cpt. Jenkins not being in Circumstances to proceed) to attend her Majesty with an Account of their late Proceedings, and to be in Readiness for her Majesties Service if she please to Resolve upon a new Expedition;

Resolved That Fifty Pounds be Paid out of the publick Treasury, to each of them before their Imbarcation. and Fifty Pounds Sterling, to each of them, when they arrive in London, to bear their charge, & Pay for their Time for Six months. and after that, Ten Pounds p month to each of them, while they are necessarily Detained on the Service of this Province or untill they are put into Some other employ.

That the Treasurer, be Directed to Purchase good Bills of Exchange, to be paid to each of them accordingly. [*Passed November 6.*]

¹ From this word on, the Secretary's record reads, "of Rehoboth for a gun lost in her majestys service at the time when his son was slain in the year 1709."—Legislative Records of the Council, ix., 163.

CHAPTER 113.

RESOLVE ALLOWING £5,, 5, TO BENJ^A SKIFFE.

Resolved That the Sum of Five Pounds & five shillings be allowed, & Paid out of the publick Treasury to Benj^a Skeffe Esq^r the Pet^r to Defray the charge of ¹ Nathan Skeffe's Sicknesse, & funerall,² And the Wages due to the Deceas^d for the use as Set forth in the Petition. *[Passed November 6.*

Legislative
Records of the
Council, ix.,
163. Mass.
Archives,
lxxi., 856.

CHAPTER 114.

VOTE APPOINTING CERTAIN PERSONS TO ATTEND Y^E GOV^R AT Y^E CONGRESS.

THE FOLLOWING VOTE passed in Council,

In y^e Affair of y^e Congress of y^e sev^{ll} Gov^{rs} proposed for Consideration of a joint Defence

If that Proposal be accepted by the other Governm^{ts} & come forward

Voted That Penn Townsend and Andrew Belcher Esq^{rs} with such Gentlemen as shall be named by the Representatives be Desired to attend his Excellency and assist in that affair.

In the House of Representatives

Read, & Concurr'd & Addington Davenport, & Joseph Parsons Esq^{rs} & Capt. Thom^s Hutchinson are named for the Affair abovementioned. *[Passed * November 7.*

Legislative
Records of the
Council, ix.,
162. Mass.
Archives, lii.,
127.

Ante, chap. 96.
Mass.
Archives, lii.,
125, 126.

CHAPTER 115.

ORDER ALLOWING SAM^{LL} CLARK £30.

UPON READING the Petition of Samuel Clark of Topsfield Setting forth that he being in her Majesties Service with several other Soldiers were surprized & taken Captive by a Party of the Indian Euemy in the Year 1710: And was necessitated for the Preservation of his Life, the Indians threatening to knock him on the Head, to obtain the Value of Thirty Pounds in Goods of Cpt. Abraham Prebble to purchase his Redemption for which he has given his Bond to the said Prebble.

In Consideration that the Redemption of the Petitioner was purchased upon apparent Danger of his being immediately murdered unless redeemed, and he being since returned to her Majesties Service.

Resolved That the Sum of Thirty Pounds, be Allowed, & Paid out of the Publick Treasury, to Samuel Clark the Petitioner to enable him to Discharge his Bond for his Redemption, & That Twenty shillings more be paid for his Gun lost in the service. *[Passed November 7.*

Legislative
Records of the
Council, ix.,
164. Mass.
Archives,
lxxi., 757.

Mass.
Archives,
lxxi., 758.

¹ The Secretary's record here inserts "his kinsman." — Legislative Records of the Council, ix., 163.

² From this word on, the Secretary's record reads, "(who came home sick from the late intended expedition to Canada) & the wages due to the deceased for the use of his father." — Legislative Records of the Council, ix., 163.

CHAPTER 116.

RESOLVE ALLOWING HUGH PIKE £3.

Legislative
Records of the
Council, ix.,
164. Mass.
Archives,
lxxi., 849.

Mass.
Archives,
lxxi., 745.

UPON READING the Petition of Hugh Pike of Newbury wounded in the Expedition to Port Royal under the Command of Coll. March,

In the House of Representatives.

Resolved That there be allowed, & Paid out of the publick Treasury, to Hugh Pike the Petitioner. Three Pounds in addition to his last year's allowance of five Pounds, And six pounds. p annum for two years next coming if he live so long.

In Council.

Read and agreed to the Three Pounds in Addition to his last year's allowance of Five Pounds. and no further.¹ [*Passed November 7.*]

CHAPTER 117.

RESOLVE ALLOWING PAYMENT OF WINTER HARB^r FORT ACC^t.

Legislative
Records of the
Council, ix.,
164.

Maps and
Plans, xxxiii.,
16.

THE FOLLOWING RESOLVE pass'd in the House of Representatives upon the Account of the Charges of Winter Harbour Fort; Read & Concurred: Viz,

Resolved that the Sum of Seventeen Pounds one Shilling & two Pence be paid out of the Publick Treasury to the Committee for the Cost of Building the said Fort (over & above Four Hundred Pounds already paid to them) together with Twelve Pounds to John Wheelwright Esq^r Eight Pounds to the Heirs of Major Hammond & Twenty Pounds to Cpt. Lewis Bane for their Service in Carrying on the Work. [*Passed November 7.*]

CHAPTER 118.

Legislative
Records of the
Council, ix.,
165.

Mass.
Archives, xl.,
386–390; cxlii.,
596, 597.

ORDER OF HEARING ON A PETITION OF THE INHAB^{ts} OF PALMERS RIVER. [*Passed November 7.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 119.

ORD^r REFERRING TO WARE BRIDGE OVER TAUNTON GREAT RIVER.

Legislative
Records of the
Council, ix.,
165.

UPON READING a Petition of the Select Men of Taunton Setting forth That one of the Great Bridges over Taunton Great River known by the Name of the Ware Bridge built at the Charge of the said Town for one Half thereof, And the other Half at the Charge of the adjacent Towns is much out of Repair & dangerous for Passage, PRAYING

¹ No formal agreement to this limitation appears, but the matter seems to have been treated as complete legislation, for payment of the additional allowance was made.—Executive Records of the Council, v., 478.

the Direction and Order of this Court for the Repairing & Maintaining thereof

Ordered that the Neighbouring Towns that assisted in Building the Ware Bridge be served with a Copy of this Petition & notified to appear by their Agents on the third Wednesday of next May Session, to shew Cause if any they have, why they should not bear their Part of Repairing the said Bridge as in Building of the same, And that the Select Men of Taunton in the mean Time secure & make the said Bridge safe for Passing, the Account of the Charge thereof to be then brought in & Proportioned. [*Passed November 7.*]

CHAPTER 120.

RESOLVE ALLOWING £.20, TO M^r MOODEY MINISTER OF YORK.

UPON READING a Petition of Cpt. Lewis Bane Representative of the Town of York, Setting forth that they are about to Erect a New Meeting House in the said Town, the Charge whereof will be so heavy under their impoverishing Circumstances by the War, that it will detract from a due Support of their Minister whilst that Work is at Hand, PRAYING some Allowance from the Government:

Resolved That the Sum of Twenty Pounds be Allowed & Paid out of the publick Treasury, to the reverend M^r Samuel Moodey, minister of York towards his Support for this year. [*Passed November 7.*]

Legislative
Records of the
Council, ix.,
165. Mass.
Archives, xi.,
385.

CHAPTER 121.

RESOLVE ALLOWING £.6, TO PETER THACHER.

Resolved. That the Sum of Six Pounds be Allowed, & Paid out of the publick Treasury to Peter Thacher the Pet^r in full of his acc^o¹ of charge, upon Anthony Thacher. [*Passed November 7.*]

Legislative
Records of the
Council, ix.,
166. Mass.
Archives,
lxxi., 836.

Mass.
Archives,
lxxi., 837-839.

CHAPTER 122.

ORDER OF CONFIRMATION OF TWO HUNDRED ACRES OF LAND TO JOS: DANIEL. [*Passed November 7.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
166. Mass.
Archives,
ccxliii., 15.

CHAPTER 123.

VOTE ANNEXING LANDS OF LOVEJOY & STEVENS TO THE SOUTH PRECINCT IN ANDOVER. [*Passed November 7.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
166. Mass.
Archives, xi.,
384.

Post, chap. 162.
Legislative
Records of the
Council, ix.,
164.

¹ From this word on, the Secretary's record reads, "for sickness & funeral charges of Anthony Thacher, to whom he was guardian who died of sickness contracted in her Majesty's Service." — Legislative Records of the Council, ix., 166.

CHAPTER 124.

RESOLVE ALLOWING £.30, TO CPT. TUTHILL.

Legislative
Records of the
Council, ix.,
167. Mass.
Archives,
lxxi., 841.

Ante, chap. 110.

UPON THE PETITION of Cpt. Zech^a Tuthill ;

Resolved That the Sum of Thirty Pounds, be Allowed, & Paid out of the Publick Treasury to Capt: Zech^a Tuthill the Petition^r for his extraordinary Service, in Taking care of, & Inspecting the works done at Castle William. for Severall years past. [*Passed November 8.*]

CHAPTER 125.

RESOLVE ALLOWING £.30, ADDITIONAL TO M^r PRES. LEVERET.

Legislative
Records of the
Council, ix.,
167. Mass.
Archives,
lviii., 282.

THE FOLLOWING RESOLVE pass'd in the House of Repres^{ves} upon a Memorial of M^r John Leveret President of Harvard Colledge. Read & Concurred ; Viz,

Resolved That the Sum of Thirty Pounds be added to the Allowance of the memorialist, for the year next coming, & paid out of the publick Treasury. [*Passed November 8.*]

CHAPTER 126.

ORDER OF ESTOPLE ON LIEU. PARKERS¹ WAGES.

Legislative
Records of the
Council, ix.,
167. Mass.
Archives,
lxxi., 853.

Mass.
Archives,
lxxi., 842-847.

VOTED A CONCURRENCE with the Ord^r pass'd in y^e House of Repres^{ves} upon the Petition of Lieu^t Josiah Parker, Praying Forgiveness for Taking Money of Soldiers for their Release ; [viz.]

Ordered That the wages, of the Petition^r be stop't in the Treasury, untill he has had his Tryall for the Offence mentioned in the Petition. [*Passed November 8.*]

CHAPTER 127.

ORDER APPOINTING A COMMITTEE ON THE MATTAKESSET PETITION FOR A NEW TOWNSHIP. [*Passed November 9.*]

Legislative
Records of the
Council, ix.,
169. Mass.
Archives,
cxlii., 585.

Post, chap. 154.

Mass.
Archives,
cxlii., 583-591.
Legislative
Records of the
Council, ix.,
153, 160.

[*Printed with resolves, orders, etc.*, “granting lands, establishing precincts and parishes, and determining territorial boundaries.”]

¹ Wherever this name occurs in Mass. Archives it is “Barker,” as also in the signature on p. 853, vol. lxxi., of the Archives.

CHAPTER 128.

ORDER OF ADDIT^L INSTRUCTION TO M^R AGENT DUMER.

In the House of Representatives.

Ordered That It be added to the Instructions of M^r Agent Dumer, to Endeavour the Obtaining Her Maj^{ties} Comānds to y^e Governm^t of New-York, to Break their Neutrality & Joine, & assist vigorously in carrying on the war against the common Enemy, and That the purport of Govern^r Hunter's Letter laid before this House this session relating to that affair, be writ to him.

Legislative
Records of the
Council, ix.,
169. Mass.
Archives, xx.,
181.
Ante, chap. 112.
Post, chap. 129.

In Council.

Read and Concurr'd. to y^e first part.¹ [*Passed November 10.*]

CHAPTER 129.

ORDER DESIRING LIEU. GEN^{LL} NICHOLSON TO OBTAIN HER MAJ^{VS} COM-
MANDS TO Y^E GOVERN^MT OF N. YORK TO CEASE THEIR NEUTRALITY.

In the House of Representatives

Ordered That a Comītee of both Houses be Appointed, to Attend the Honorable GENERALL NICHOLSON, and Pray his Honour to Improve his Interest at Whitehall, that Her Majesty's especial Comānds may be given to the Government of New-York, to Cease their Neutrality & vigorously assist in carrying on the War against the french & Indian Enemy.

Legislative
Records of the
Council, ix.,
170. Mass.
Archives, ii.,
452.
Ante, chap. 128.

In Council

Read and Concurr'd. and that his Excellency be Desired to cover the Copy of this Vote to L^t General Nicholson. [*Passed November 10.*²]

CHAPTER 130.

ORD^R TO PROVIDE SNOW SHOOS.

Ordered that such & so many of the Soldiers enlisted in the Military Companies & Troops within the respective Towns & Districts hereafter named; viz, Wells, York, Kittery, Salisbury, Andover, Newbury, Amesbury, Bradford, Haverhill, Billerica, Dracutt, Dunstable, Stow, Concord Sudbury, Groton, Lancaster, Marlborô, Sherburn, Framingham, Woodstock & every of the Towns within the County of Hampshire, as the Commission Officers of every such Company shall judge most able (being not less than one Half of the Company) shall each of them provide him self with a good Pair of Snow-Shoes & Moggasons at or before the tenth Day of December next coming on y^e Penalty of Ten Shillings for Neglect

Legislative
Records of the
Council, ix.,
170.

Post, chap. 172.
Mass.
Archives,
lxxi., 866.
Legislative
Records of the
Council, ix.,
169.

¹ The Secretary's record of the foregoing is as follows: —

"*Ordered*, that it be added to the Instructions of M^r Agent Dummer to Endeavour the Obtaining her Majesties Commands to the Government of New York, to break their Neutrality, & join & assist vigorously in Carrying on the War against the Common Enemy, with a Copy of the Opinion of the Council of New York upon that Head." — Legislative Records of the Council, ix., 169.

² The Secretary's record omits the words "french &" before "Indian," and also the addition by the Council. — Legislative Records of the Council, ix., 170.

And for his Encouragem^t in so Doing, He shall be paid by the Province seven Shillings at the first Charge, and two Shillings a Year for every Year afterward so long as the War shall last: And if any Person shall dye or Remove out of Town that was so supplied the Officers of the Company to which he did belong shall take Care to preserve their Snow Shooes and Moggasins.

The standing Soldiers in the Counties of York, Middlesex & Hampshire to be provided at the Charge of the Province.

That the Money allowed to the Half drawn men be paid out of the last Part of this present Tax. [*Passed November 10.*]

CHAPTER 131.

RESOLVE FOR ENLARGEM^t OF Y^e TIME FOR COLLECTING BOSTON TAX.

Legislative
Records of the
Council, ix.,
170.

Ante, chap. 102.

WHEREAS the Assessors of the Town of Boston were prevented by the Intervening of the Expedition this Summer to assess the Sum set on the Inhabitants of the said Town to the last Province Tax according to the Time limited, One Half of which by the Act was to be Collected some Time in the Month of September now last past;

Resolved that the Time for Collecting the said Half of the Tax afore said be lengthened out to the last Day of December next, Any Thing in the said Act notwithstanding. [*Passed November 10.*]

CHAPTER 132.

RESOLVE ALLOWING £.250, TO HIS EX^{ty} THE GOV^r.

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
cccl., 82.

Ante, chap. 29.

Resolved That the Sum of Two Hundred & fifty Pounds be Allowed & Paid out of the Publick Treasury, to His Excellency JOSEPH DUDLEY Esq^r Captⁿ Generall and Governour in chief, of this Her Majesty's Province, for his Support, in Managing the Affairs of the Government. [*Passed November 10.*]

CHAPTER 133.

RESOLVE ALLOWING £.60, TO M^r SECR^y ADDINGTON.

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
cccl., 83.

Resolved That the Sum of Sixty Pounds, be Allowed, & Paid out of the publick Treasury to the Hon^{ble} Isaac Addington Esq^r for his extraordinary Service, for this Province for the year currant. [*Passed November 10.*]

CHAPTER 134.

RESOLVE ALLOWING £.200, TO M^R COMMISSARY GEN^{LL}.

Resolved That the Sum of Two Hundred Pounds be Allowed & Paid out of the publick Treasury, to the Hon^{ble} And^r Belcher Esq^r Commissary Generall, for his good Service in the s^d Office, the year past, ending the nineteenth. Day of August last. [*Passed November 10.*]

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
ccci., 82.

CHAPTER 135.

RESOLVE ALLOWING £.20, TO M^R JN^O WHITE CLERK.

Resolved That the Sum of Twenty Pounds be further Allowed & Paid out of the publick Treasury, to John White Clerk of this House, for his Service in the year currant. [*Passed November 10.*]

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
ccci., 83.
Ante, chap. 32.

CHAPTER 136.

RESOLVE ALLOWING £.20, TO M^R JN^O COLEMAN.

Resolved That the Sum of Twenty Pounds be allowed & Paid, out of the publick Treasury to M^r John Colman in full for his Service, in the Outsett, of the late intended Expedition to Canada. [*Passed November 10.*]

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
lxxi., 865.
Ante, chap. 38.

CHAPTER 137.

RESOLVE ALLOWING £.15, TO M^R JA. PEMBERTON.

Resolved That the Sum of Fifteen Pounds be allowed, & Paid, out of the Publick Treasury, to M^r James Pemberton, in full for his extraordinary Service in assisting the Com^{missary} Generall, in forwarding the late Expedⁿ intended to Canada. [*Passed November 10.*]

Legislative
Records of the
Council, ix.,
171. Mass.
Archives,
lxxi., 864.

CHAPTER 138.

ORDER IN REGARD TO BRICKS.¹

ON CONSIDERATION of the great Quantity of Bricks that are now demanded for Rebuilding the Places laid wast in Boston by the late Fire, And the Firmness of Buildings very much depends on the Goodness of Materials

IT IS DECLARED & Ordered,² That Clay that is for the Making of Bricks shall be digged before the tenth of December yearly, And shall

Legislative
Records of the
Council, ix.,
171. Mass.
Archives, lix.,
250.

¹ Printed in the note to the Act of March 20, 1711-12, Province Laws, i., 686; reprinted here, as important.

² In Mass. Archives, lix., 250, the action is introduced by the words, "It is Declared and Enacted by this Court and the Authority thereof," as of an Act of the legislature.

be turned over in the Month of February or March next coming at least twenty Days before it be wrought;

And no Person shall temper his Clay with Salt or brackish Water;

And the Size of Bricks shall be nine Inches long, & two Inches & Half an Inch thick, & four Inches & an Half broad when burnt; And all Moulds to be used for the Making of Bricks shall be made according to these Sizes & well shod with Iron so that the Bricks when burned shall hold out the Measure prescribed;

And whosoever shall make Bricks for Sale contrary to this Order in any Respect; He or they shall forfeit the one Half of such Bricks to the Use of the Treasury of the Town where they are made. [*Passed November 10.*]

CHAPTER 139.

ORDER THAT WM HOLLAND BE SENT TO GT BRITTAIN.

Legislative
Records of the
Council, ix.,
172. Mass.
Archives,
lxxi., 863.

Ordered That William Holland a Captive lately Return'd from Quebec be Procured to Go to Great-Britain, in the Adventure Man of War, to give Information, of the state of the Enemy, and That a reasonable allowance, for his time, & Charge be allowed to him out of the publick Treasury. [*Passed November 10.*]

CHAPTER 140.

RESOLVE FOR ALLOW^{CE} TO BENJ^A JOHNS FOR THE USE OF HIS HOUSE.

Legislative
Records of the
Council, ix.,
172. Mass.
Archives,
xlvi., 426.

Resolved That the Sum of Forty Pounds, be Allowed, out of the publick Treasury to M^r Benj^a Johus, for the use this Court make's of his House, in a Year, beginning the 17th Octo^r last (if they improve it So long) Fifteen Pounds thereof to be now drawn out of the Treasury, the Remainder as this Court Shall order. [*Passed November 10.*]

CHAPTER 141.

VOTE ALLOWING MIDDLESEX COUNTY TREAS^{RS} ACC^T.

Legislative
Records of the
Council, ix.,
172.

THE ACCOMPT of the County Treasurer for Middlesex for the County Rate made in the Year 1710: And the Payments thereout Allowed by y^e House of Representatives; Read & Concur'd. [*Passed November 10.*]

CHAPTER 142.

VOTE ON THE REPORT OF THE COMM^{TEE} FOR REBUILDING OF THE TOWN HOUSE.

Legislative
Records of the
Council, ix.,
172. Mass.
Archives,
cxli., 618.

REPORT of the Committee appointed the 22^d of October past to consider of the Representation & Address of the Select Men of Boston for Rebuilding a House for Publick Meetings on Civil Occasions for the Use of the Province County & Town; Viz,

The above Committee Advise that there be a House built in or Near the place where the Old Town House Stood for the Uses mentioned in the Memorial as Convenient as may be without incommoding the Street [The Breadth not to Exceede thirty Six feet the Length So as to be Convenient for the ends Mentioned in the Addresse that a Committee be Appointed by this Court to Take Care for the building as Speedily & prudently as may be] The Charge thereof to be bo[r]n the one half by the Province, the other half by the Town of Boston & County of Suffolk in equal Proportion

Post, chap. 168.
Sewall's *Diary*,
II., 324.

By order of Major part of the Committee

ELISHA HUTCHINSON.

In the House of Representatives.

Read & Accepted.¹

In Council Read & Concurred

And that Elisha Hutchinson And Penn Townsend Esqrs with Such as shall be named by the Representatives be a Committee for the affair. The Committee to Advise with his Excy & Such Skill full Gentlemen as they may think fitt to be consulted with about the Model of the House.

In the House of Representatives

Read & Concurred And Addington Davenport Samll Thaxter Esqrs & Capt Phipps be named for the affair with libertie to the Town of Boston to Joine Two Persons More. [*Passed November 10.*]

¹ After inserting the words in brackets.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWELFTH DAY OF MARCH, A.D. 1711.

CHAPTER 143.

VOTE ACCEPTING THE REPORT ON Y^E COMMISSARY GEN^LL^S ACC^TS.

Legislative
Records of the
Council, ix.,
175.

Ante, chap. 35.
Mass.
Archives,
cexliv., 98.
Executive
Records of the
Council, v., 524.

THE FOLLOWING REPORT of the Committee or Audit upon the Accompts of Andrew Belcher Esq^r Commissary Gen^l Read & Accepted in Council, and Concurred by the Representatives; Viz,

We the Subscribers being appointed by his Excellency the Govern^r & Council to audit the Accompts above & in the foregoing Pages, In Obedience to the said Order have examined the said Accompts & seen the sev^l Vouchers relating thereto & find That Andrew Belcher Esq^r has disbursed for her Majesties Service the Sum of Twelve Thousand Eight Hundred eighty six Pounds, ten Shillings & two Pence, including the former Ball^a And that he hath rec^d of the Treas^r &c Eleven Thousand, two Hundred seventy four Pounds eleven Shillings & three Pence, And that on the eighteenth Day of February 17¹¹/₂ There was due from the Province to the said Andrew Belcher the Sum of One Thousand six Hundred & eleven Pounds, Eighteen Shillings & Eleven Pence:

(Sign'd) PENN TOWNSEND JN^o CLARK ADD: DAVENPORT THO: FITCH,
THO HUTCHINSON, Comm^{tee}

Boston March 11. 17¹¹/₂. [*Passed March 14.*]

CHAPTER 144.

RESOLVE ALLOWING £3^{..} 16, TO DANIEL CLARK.

Legislative
Records of the
Council, ix.,
176. Mass.
Archives,
lxxii., 2.

Legislative
Records of the
Council, ix.,
178. Mass.
Archives,
cxxii., 405.

UPON READING a Petition of Daniel Clark of Topsfield, Praying to be reimbursed the Sum of Three Pounds & six Shillings,¹ expended on the Sickness & Funeral of his Son Elisha Clark, a Soldier in the late designed Expedition to Canada & return'd home sick, of w^{ch} Sickness he died.

Resolved That the Sum of Three Pounds & Sixteen Shillings be Allowed, & Paid out of the Publick Treasury to Daniel Clark the Petitioner, to Discharge the above account. [*Passed March 14.*]

¹ The sum asked for in the petition is three pounds, six shillings, as the secretary here states. With this agrees the State Library copy, Legislative Records of the Council, ix., 153. The resolve, it will be seen, allows three pounds, *sixteen* shillings; and so the sum appears in Legislative Records of the Council, ix., 178 (another record of the resolve of the text *supra*), in Executive Records of the Council, v., 530, and in Mass. Archives, cxxii., 405, where the payment is recorded.

CHAPTER 145.

ORDER APPOINTING A COMMITTEE ON COLL. VETCH'S LETT^r REFERRING TO Y^e VICTUALLING OF TWO FOOT COMP^{ys} SENT TO ANNAPOLIS.

HIS EXCELLENCY communicated a Letter from the Hon^{ble} Samuel Vetch Esq^r Relating to the Victualling the two Foot Companies of this Province sent to Annapolis Royal in the Summer past; [viz.]

Legislative
Records of the
Council, ix.,
176. Mass.
Archives, II.,
230.

I Acquainted your Excellency some time agoe of a debt dew by your Government to her Majestys Agent for the Garison of Annapolis Royall, for victualling the two Companys of Country troops sent to the sd Garison under the Command of Cpts: Brown and Lyon, during their abode in the sd Garison, their having bein no Charge ever made to the Crown of it Generals, Hill, and Nicolson, having told me that they being a part, of thiss Governments quota; would be victualed and payd by them, during the Expedition I accordingly directed the Agent, for the Garison; to waite upon the Commissary, of thiss province, in order to settle the acct: of victualling the above sd two Companys, who told him; he Could doe nothing in the matter, without your Excellencys, and the Generall Assemblys, directions; about the same: understanding that the house is now sitting I have Given your Excellency the trouble of thiss Line to pray the Necessary directions may be Given to Mr Commisary Generall to Adjust the same with our Agent: as soon as may be because I hope to be Going to the Garison in a very Little time I am with all dew Regard your Excellencys

most humble servt:

Boston March: 14: 171 $\frac{1}{2}$

SAM: VETCH

In Council.

Upon Reading the within Letter.

Ordered That Andrew Belcher and John Otis Esq^{rs} with such as shall be named by the Representatives, Be a Committee to Confer wth the Hon^{ble} Col^o Vetch upon the Subject matter thereof. And to Report thereupon.

In the House of Representatives.

Read, & Concurr'd, & Capt: Tho^s Hutchinson, Maj^r Sam^l Thaxter & Capt: Simon Davis are Appointed to Joine in the aff^r. [*Passed March 14.*]

CHAPTER 146.

ORDER IMPOWERING SAM^{ll} BAILEY TO SELL LAND.

UPON READING the Petition of Samuel Bailey of Boston Sail-Maker who intermarried with one of the Daughters of John Smith some Time of Dorchester Malster Dec^d Administrator cum Testamento annexo de Bonis non administratis of his Estate; PRAYING to be impowered to make Sale of One Hundred & twenty Acres of Land belonging to the said Estate lying in Dorchester New Grant estimated at Three Shillings per Acre, towards reimbursing him the Sum of Twenty nine Pounds six Shillings by him advanced & expended for the Support Nursing Sickness & Funeral Charges of the Relict Widow of the said John Smith, who survived him many Years & to pass good & sufficient Deeds for the same; The other Children of the Dec^d being notified of this Petition & allowed a Hearing thereupon, but not attending the same;

Legislative
Records of the
Council, ix.,
177. Mass.
Archives,
xvii., 299.

Ante, chap. 108.
Mass.
Archives,
xvii., 300, 301.
Legislative
Records of the
Council, ix.,
169.

Ordered, That the Pet^r be Impowred to make Sale of the Land of y^e dece^d as petitioned for to pay off the Debts for Disbursments and charges in the Support, Sickness and funeral of his Widow.

The Accompts thereof to be Adjusted and Allowed by the Judge of Probate. [*Passed March 14.*]

CHAPTER 147.

ORDER REVIVING A SUIT IN THE SUPERIOR COURT, ON PETITION OF NATH^l EAST &c.

Legislative
Records of the
Council, ix.,
176. Mass.
Archives, xl.,
955.

UPON READING a Petition of Daniel & Mercy Blin, Mary East, Margaret East & Nath^l East Children & Heirs of Mercy East late of Boston Dec^d to revive & bring forward an Appeal *lately* depending in the Superiour Court upon a special Verdict found in a Case wherein Jeremiah Tay (since Dead) (who intermarried with Mercy Woodward Niece or Kinswoman of y^e s^d Mercy East Dec^d) was Appellant & the Petitioners said Mother Appellee, refering to the Moiety or Half Part of a certain House & Land scituate in Boston, and the said Cause discontinued or dismiss'd before Judgement given by Reason of the Parties Death :

Ordered That the Justices of the Superiour Court in their next Court to be holden for and within the County of Suffolk assume the Consideration of the Special Verdict within mentioned, and give Judgement thereon. And that the Pet^{rs} and the Widow of Jeremiah Tay dece^d in whose right he held the said Land stand before the said Court in the same Capacity as the persons dece^d respectively did. And that the Pet^{rs} cause y^e s^d Widow Tay to be Served with a Copy of this Order Fourteen day's before the Sitting of the said Court. [*Passed March 18.*]

CHAPTER 148.

MILTON ADDITION OF LAND TO THEIR TOWNSHIP. [*Passed March 18.*]

Legislative
Records of the
Council, ix.,
176. Mass.
Archives, cxiii., 593.

Ante, chap. 10.
Mass.
Archives,
cxiii., 592-595.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 149.

ORDER IMPOWERING ELIZ^a LOWLE TO SELL LAND.

Legislative
Records of the
Council, ix.,
177. Mass.
Archives,
xvii., 295.

Mass.
Archives,
xvii., 296.

UPON READING the Petition of Elisabeth Lowle, Relict Widow & Administratrix of the Estate of Ebenezer Lowle late of Boston Cordwainer Dec^d Intestate, Setting forth that the said Estate is indebted upwards of Three Hundred Pounds And there is not sufficient personal Estate to discharge the same ; PRAYING to be impowred to make Sale of Part of the Real Estate to enable her to pay the Debts of the Dec^d Viz, a certain Messuage or Tenement with the Out-Houses & Land thereto belonging scituate at the Southerly End of the said Town of Boston in the present Tenure & Occupation of Abraham Blish & Michael Shaller having now an Opportunity therefore ;

Ordered That the Prayer of the Petition be Granted and the Petitioner be Impowred to make Sale of the Housing & Land within mentioned accordingly, and to pass a good & Sufficient Deed in the Law for the same. She to Account with the Judge of Probate for the proceeds thereof. [*Passed March 18.*]

CHAPTER 150.

VOTE REFERRING TO THE GENERAL SESSIONS OF THE PEACE THE PETITION OF CERTAIN INHABITANTS OF SALISBURY COMPL^a ABOUT MOVING THE SCHOOL, AND SUSPENDING PROCEEDINGS.

A PETITION of sev^{ll} of the Inhabit^{ts} of Salisbury complaining of a disorderly & clandestine Meeting of the Inhab^{ts} of said Town and a Vote then pass'd for the Erecting a School House about three Miles distant from the Place where the School has formerly been kept, and of the Illegality of the said Vote;

Legislative
Records of the
Council, ix.,
179. Mass.
Archives, xl.,
333.

Read and Referr'd to the Court of General Sessions of the Peace within the County, to Inquire into the Complaint withinmentioned, and to send for some of the principal persons concern'd therein and to do what to Law and Justice appertaineth And that all proceedings referring to the School-house be Suspended until the matter have been heard by y^e s^d Court. [*Passed March 18.*]

Mass.
Archives, xl.,
332.

CHAPTER 151.

ORDER GRANTING SAM^{ll} GREENWOODS PETITION TO PURCHASE THE SHARE OF HIS TWO KINSFOLK IN LANDS.

UPON READING a Petition of Samuel Greenwood, Setting forth That Nath^{ll} & Mary HENCHMAN, Children of his Sister Anna HENCHMAN Dec^d late Wife of Nath^{ll} HENCHMAN of Boston Mech^t being Minors within Age, in Right of their said Mother, are entituled to about two Twelfth Parts & Interest of & in a small strip & Nook of Land intermix'd with the Petitioners, descended from his Father Nath^{ll} Greenwood Dec^d scituate at the Northerly End of Boston & incapable of being divided or sett off to any Advantage of Building or Improvement without Prejudice to the whole, & produces no Profit or Income to them nor the other Ten Parts to the Petitioner as it at present lies, And the said Minors not being capable to dispose of the same, W^{ch} would be for their Advantage, whereof their Father is sensible & consenting to, PRAYING that their said Father or some other Person as shall be appointed as their Guardian may be impowred to sell their Right therein to the Petitioner at a certain Price or otherwise that the said Land may be appriized by a Jury of indifferent Men upon their Oaths & be assigned to the Petitioner as the eldest Son, he to pay the Value of the Minors Parts to their Guardian or them selves as they come of Age.

Legislative
Records of the
Council, ix.,
180. Mass.
Archives, xlv.,
401.

Mass.
Archives, xlv.,
402. 403.

Ordered That the Prayer of the Petition be Granted, And that the Sheriffe of the County of Suffolk do Impanel a Jury of twelve good & Lawful men, Freeholders in Boston to be Sworn before a Justice of Peace, to Inquire of the Value of the Land mentioned in the Petition And that the parts and Interest belonging to the s^d two Minors be Vested in the Petitioner and his heires; He paying for the same to the S^d Minors or their Guardian their ratable parts of the Value thereof, according to the Apprizment. [*Passed March 18.*]

CHAPTER 152.

Legislative
Records of the
Council, ix.,
181. Mass.
Archives, iii.,
129.

ORD^R FOR STATING THE BOUND LINE BETWEEN THE COUNTY OF SUFFOLK THE COUNTY OF PLIM^O & BRISTOL. [*Passed March 18.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 153.

ORDER ALLOWING M^R SAM^{LL} HUNT £20.

Legislative
Records of the
Council, ix.,
181. Mass.
Archives, xi.,
402.

UPON THE PETITION of M^r Samuel Hunt Minister of Dartmouth;¹

Resolved That the Prayer of the above Petition be granted, & That the Sum of Twenty Pounds be allowed & Paid out of the Publick Treasury, to M^r Samuel Hunt, for the year past. [*Passed March 18.*]

CHAPTER 154.

Legislative
Records of the
Council, ix.,
179. Mass.
Archives, cxiii.,
635.

ORDER ACCEPTING MATTAKESSET COMM^{TEE} REPORT. [*Passed March 19.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Ante, chap. 127.

CHAPTER 155.

ORDER FOR EMITTING £12000, IN BILLS OF CREDIT, AND FOR CREATING A FUND AS SECURITY.²

Legislative
Records of the
Council, ix.,
181. Mass.
Archives, ci.,
410.

Resolved That the Sum of Seven Thousand Pounds, of Bills of Publick Credit, on this Province be further, & forthwith made, by the Committee last appointed to make Such Bills. & upon the Same Plates, with the Bills ordered to be made the last Session, who Shall be paid for their making them, in the Same Proportion, as for the last they made, for the Province.

That the S^d Committee Deliver the S^d Sum of Seven Thousand Pounds, to the Treasurer, Taking his Receipt for the Same.

And the Treasurer is hereby Directed & Impowered to Issue forth, & Emit, the S^d Sum of Seven Thousand Pounds, together with the Sum of Five Thousand Pounds more, of the Bills, of Publick Credit, that are or Shall be received into the Treasury, towards Payment of the Publick Debts of the Province already contracted, & the further growing charge, for the Defence thereof, for Supplying, & Subsisting, of the Province-Galley, & Sloop, Forts. Garrisons, & Forces, Raised & to be Raised, & imployed within the same, & wages arising for their Service, towards

¹ The petition recited “That the Inhabitants of s^d Town are very few (but sixteen families) and being very poor for the most part are not Able to allow more than Thirty pounds P^o annum towards the support of the ministry amongst them.”

² Printed in the notes to the Acts for the year 1711–12, Province Laws, i., 687; reprinted here, as important.

defreying the charge, of the late intended Expedition to Canada (belonging to this Province) for Payment of Grants, Salaries, & Allowances, made & to be made, by this Court, according to Such Draughts, as from time, to time, Shall be made upon him, by warrant or order of the Governour, by & with the advice & Consent of the Council, and the S^d Bills, Shall Passe out of the Treasury at the value therein expressed, equivalent to money, & Shall be Taken, & accepted, in all Publick Payments, at the Advance, and after the Rate of five Pounds p cent: more.

And That the Duties, of Impost, & Excise, Shall be a Fund, & Security, for the Repayment, & Drawing in of the s^d Bills, to the Treasury again, So far as that will Reach.

And as a further Fund & Security for the Same, for the Paying of Souldiers wages, & for Defreying of the further necessary growing charge, of the Province, the Defence of Her Majesty's Subjects, & Interests within the Same, & Support of the Government thereof, There be, & hereby is granted, unto Her most Excellent Majesty to the ends, & Uses aforesaid, a Tax of Twelve Thousand Pounds. Six Thousand Pounds thereof to be levied on Polls, & Estates, both reall & personall within this Province, according to Such Rules and in Such Proportion upon the Severall Towns & Districts within the Same, as Shall be agreed on, & ordered by the Great, & Generall Court, or Assembly of this Province at their Session, in May 1716. the remaining Six Thousand Pounds thereof, at their Session in May 1717. To be paid in to the Treasurer, Six Thousand Pounds thereof, on or before the last day of May 1717, & the remaining Six Thousand Pounds, on or before the last day of Nov^r 1717. [*Passed March 19.*]

CHAPTER 156.

RESOLVE ALLOWING THO: CLARK £.8. 8.

UPON READING the Petition of Thomas Clark of Woburn, PRAYING that he may be reimbursed his Charges of Nursing Diet Doctor & Necessaries in the Time of his Sickness whilst in her Majesties Service.

Resolved That the Sum of Eight Pounds and eight Shillings be allowed & Paid out of the Publick Treasury to Thom^s Clark, the Petitioner. to Defray the Charge of his nursing, Diet, Doctor, & necessaries, in the time of his Sicknesse, and for his Losse of Time. [*Passed March 19.*]

Legislative
Records of the
Council, ix.,
183. Mass.
Archives,
lxxi., 764.

CHAPTER 157.

RESOLVE ALLOWING JN^o LEVERET ESQ^r £.42.

Resolved That there be Allowed and Paid out of the Publick Treasury to the Hon^{ble} John Leveret Esq^r for the use of his Island in entertaining Sick Souldiers, & Sailers, three years past. Thirty Pounds. besides six Pounds already paid him Seven Pounds for the Damage in cutting of the Trees.

And Five Pounds; for the Damage by Digging of Graves & burying a considerable number in the S^d Island. The whole Forty two Pounds. [*Passed March 19.*]

Legislative
Records of the
Council, ix.,
183. Mass.
Archives,
lxxii., 8.

Mass.
Archives,
lxxii., 9, 10.

CHAPTER 158.

VOTE ALLOWING £.24 ₆ ₁, TO Y^E OVERSEERS OF Y^E POOR IN BOSTON.

Legislative
Records of the
Council, ix.,
183.

[UPON READING] An Accompt presented by Mess^{rs} John Ruck, Grove Hirst, Habijah Savage &c Overseers of the Poor in the Town of Boston of Disbursements for the Support of Priscilla Smart amounting to Twenty four Pounds six Shillings & one Penny;

Voted That the Sum of Twenty four Pounds six Shillings & one Penny be allowed & paid out of the Publick Treasury to the Overseers of the Poor in the Town of Boston to discharge the above Accompt. [*Passed March 19.*]

CHAPTER 159.

RESOLVE ALLOWING JN^O MAYO £3.

Legislative
Records of the
Council, ix.,
183. Mass.
Archives,
lxxi., 854.

UPON READING the Petition of M^r John Mayo, Representative for Harwich; PRAYING for some Recompence to be made to Benjamin Freeman, Benoni Gray & John Tucker, three Soldiers imprest in her Majesties Service from the Town of Harwich in the Year One Thousand seven Hundred & three, and put on Board the Province Galley their Arms being lodged by Order of the Captain with the Gun Smith, W^{ch} can not since be found:

Resolved That the Sum of Three Pounds be Allowed & Paid out of the Publick Treasury to John Mayo the Petitioner, for the Use of the s^d Freeman, Gray, & Tucker viz^t Twenty Shillings for each of them. in full for their Losse of Arms abovementioned. [*Passed March 19.*]

CHAPTER 160.

ORDER ALLOWING NATH^{LL} CAREY &c £.732 ₈ ₇, OF THE LOAN.

Legislative
Records of the
Council, ix.,
184. Mass.
Archives,
lxlil., 219.

UPON READING a Petition of Cpt. Nath^{ll} Carey, Cpt. Charles Chambers & M^r Sam^{ll} Greenwood, Setting forth that they together with Major Thomas Fitch & M^r Oliver Noyes were appointed a Committee to provide sundry Stores &c: for the Train of Artillery in the late Expedition to Canada & in Managing that Affair were in Advance Seven Hundred & thirty two Pounds eight Shillings & seven Pence, Praying to be entituled to so much of the Loan upon giving such Security as is required therefore:

Ordered That the Prayer of the within Petition be Granted. [*Passed March 19.*]

CHAPTER 161.

ORDER ABATING £.46 ₃ ₄, TO PEL. WHITAMORE SUB-COMMISS^{RY}.

Legislative
Records of the
Council, ix.,
184. Mass.
Archives,
ccxliv., 98.

[UPON READING] An Accompt of Peletiah Whitamore Sub-Commissary of sundry Publick Stores sent to Newichawonock by his Excellencies Order in the Year One Thousand seven Hundred & three & sent into the Woods after the Army in their March to Pickwocket &

distributed among the several Companies, No Accompt thereof being kept nor can be obtained amounting to the Sum of Forty six Pounds, three Shillings & four Pence. Executive Records of the Council, v., 442.

Ordered That the Comissary Generall allow the accomptant Whittemore credit for the within mentioned Sum, of Forty Six pounds, three shillings, & four pence, in Adjusting accompts with him. [*Passed March 19.*]

CHAPTER 162.

Legislative Records of the Council, ix., 185. Mass. Archives, xi., 398.

ORDER OF HEARING IN REGARD TO THE BOUNDS OF ANDOVER NORTH PRECINCT. [*Passed March 20.*]

Ante, chap. 123. Mass. Archives, xi., 395-401.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 163.

Legislative Records of the Council, ix., 185.

ORDER ADJOURNING KITTERY HEARING.

Ante, chap. 79. Mass. Archives, xi., 394. Legislative Records of the Council, ix., 200, 217, 376.

Ordered that the Hearing appointed to be at this Session betwixt the Inhab^{ts} of the lower & upper Parts of the Town of Kittery be adjourned to the Second Wednesday of the Session of this Court in May next. [*Passed March 20.*]

CHAPTER 164.

RESOLVE ALLOWING 20/, TO CPT. THO. HOW.

UPON A REMONSTRANCE of Cpt. Thomas How of Marlborô, That one Elisha Ward an Express from Marlborô to Hatfield in August 1709. was way laid & killed by the Enemy & his Gun lost;

Legislative Records of the Council, ix., 185. Mass. Archives, lxii., 7.

Resolved That the sum of Twenty shillings be allowed & Paid out of the Publick Treasury to Cap^t Thom^s How. to Pay for the Gun above-mentioned. [*Passed March 20.*]

CHAPTER 165.

ORDER OF HEARING FOR WATERTOWN INHAB^{TS}.

Legislative Records of the Council, ix., 186.

UPON READING a Petition of several of the Inhabitants within the Easterly Precinct in Watertown complaining of an undue & illegal Assessm^t made & distrained upon them PRAYING to be heard there-upon;

Ordered that the Prayer of the Petition be granted & that there be a Hearing on the second Wednesday of the next Session of this Court, And that the Petitioners cause Jonas Bond Esq^r one of her Majesties Justices of the Peace residing in Watertown to be served wth a Copy of this Petition by him to be made publick. [*Passed March 20.*]

CHAPTER 166.

RESOLVE ALLOWING £.9⁰ 7, TO JOS: SMITH.

Legislative
Records of the
Council, ix.,
186. Mass.
Archives,
lxxii., 3.

UPON READING a Petition of Joseph Smith of Sudbury a Soldier in the late designed Expedition to Canada taken sick in the Service brought on Shoar so, and continued sick seven Weeks or upwards; PRAYING Consideration for his Expence and Charges;

Resolved That the Sum of nine Pounds seven Shillings, be allowed & Paid, out of the publick Treasury, to Joseph Smith the Petitioner, to Defray the charge of his Sicknesse, that is to Say Eight Pounds in full of Doct^r Tompsons Bill. Seventeen shillings Docto^r Boylstones & ten Shillings for John Smith's. [*Passed March 21.*]

CHAPTER 167.

VOTE IN REGARD TO W^m ROUSE'S CASE AGST CPT. CAMPBEL.

Legislative
Records of the
Council, ix.,
186. Mass.
Archives,
lxxiii., 216.

Mass.
Archives, li.,
225 *bis*. Prov-
ince Laws, vi.,
65. No. 23040,
Middlesex In-
ferior Court of
Common Pleas,
Files, 1712.
Records of
Middlesex In-
ferior Court of
Common Pleas,
i., 172, 173.

UPON READING the within Petition of William Rous Command^r of the Ship cal'd the King of Spain, Complaining of an Impar lance Granted by Her Ma^{ty}s Justices of the Inferiour Court of Common Pleas held at Charlestown upon Tuesday the. 11th of March curreant, of an Action by him there commenced against Captain Campbell Commander of Her Ma^{ty}s Ship Squirrel, unto the next Inferiour Court to be holden at Concord; The s^d Inferiour Court held at Charlestown being since continued upon an Adjournm^t to the first Wednesday in April next, and the Jury also continued, then to attend.

And the said Cause being between party's of the Sea. and not likely to remain here to the coming of Concord Court, and that being an Inland part.

The Justices of the said Inferiour Court are hereby Advised to bring forward the Tryal of the said Cause at their Sitting by Adjournm^t in April next, the removing it to Concord Court notwithstanding. And to Direct the Clerk of the Court forthwith to Notify the party's thereof by a Letter. [*Passed March 21.*]

CHAPTER 168.

ORDER IN REGARD TO THE LENGTH OF Y^E COURT HOUSE.

Legislative
Records of the
Council, ix.,
187. Mass.
Archives,
xlvi., 425.

Ante, chap. 142.

Ordered That It be an Instruction to the Committee appointed to Build the Court House or Exchange in Boston, That It be not more than one Hundred, & twelve, nor lesse than one Hundred & ten Feet in length. [*Passed March 21.*]

CHAPTER 169.

ORDER OF ADJOURNM^T OF HEARINGS.

Legislative
Records of the
Council, ix.,
187.

Ante, chap. 48.

Ordered that the Hearings that had Day to this Session, & have not been attended be continued to y^e second Wednesday of y^e next May Court. [*Passed March 21.*]

CHAPTER 170.

RESOLVE ALLOWING SAM^{LL} MAXWELL £.8, 4.

Resolved That the Sum of Eight Pounds four Shillings be Allowed, & Paid out of the Publick Treasury to Samuel Maxwell, for his Assisting his Father M^r James Maxwell, in the Sessions of this Court, Since June last. as Doorkeeper, to his Excellency the Govern^r & this Court. [*Passed March 21.*]

Legislative
Records of the
Council, ix.,
187. Mass.
Archives,
ccci., 78.

Ante, chap. 34.

CHAPTER 171.

VOTE AUTHORIZING AN ADVANCE TO MAJ^R FITCH &c OF PART OF THE LOAN.

Voted That the Com^{it}tee Appointed be Directed & Impowered, to Advance out of the Loan money to Maj^r Tho^s Fitch, the Sum of one Thousand Pounds to Capt: Tho^s Hutchinson Five Hundred Pounds, & to Capt: Oliuer Noyes Three Hundred Pounds & to Capt: Nathanⁿ Marston Three Hundred Pounds upon their Giving good security as in that Case Directed. [*Passed March 21.*]

Legislative
Records of the
Council, ix.,
188. Mass.
Archives, ci.,
412.

Ante, chap. 59.

CHAPTER 172.

ORDER FOR TRANSMITTING ACC^O OF SNOW SHOOS &c TO THE GOVERN^R.

WHEREAS this Court at their Session in October last past

Ordered That all the Souldiers within the several Towns and Districts therein Enumerated appointed to be provided of Snow Shoes, shall, for their Encouragment, be paid by the Province Seven Shillings Each for the first cost of their Snow Shoes and Mogginsons, and two Shillings p^r year every year afterward during the War

It is further *Ordered* by this Court That the several Captains or Commanding Officers of the respective Companys and Troops named in the aforesaid order Do return a fair List under their hands of the Names of the persons so appointed and fitted with Snow Shoes and Mogginsons to the Colonel or Chief Officer of the Regiment at or before the first day of May next, who shall Examin the same and transmit 'em to the Governour, That Warrants may be made out upon the Treasury to pay to Each Captain or Commanding Officer of the several Companys and Troops So much as shall thereby appear to be due to his Company or Troop accordingly. [*Passed March 21.*]

Legislative
Records of the
Council, ix.,
187. Mass.
Archives,
lxxii., 12.

Ante, chap. 130.

CHAPTER 173.

RESOLVE ALLOWING £.50, TO JN^O CAMPBEL POST-MASTER.

Resolved That the Sum of Fifty Pounds be Allowed & Paid out of the Publick Treasury to M^r John Campbel Post master in full for Postage of Publick Letters for this Province, to the 10th curr^t. [*Passed March 21.*]

Legislative
Records of the
Council, ix.,
188. Mass.
Archives,
lxxxviii., 357.

Mass.
Archives,
lxxxviii., 349,
355; cxxlv.,
73-75, 94-96.

Legislative
Records of the
Council, viii.,
438; ix., 146.
Executive
Records of the
Council, v., 445.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1712-13.

LEGISLATIVE LIST¹

FOR

1712-13.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, Esq.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WAIT WINTHROP	}	ESQRS.	PENN TOWNSEND	}	ESQRS.
JOHN HATHORNE			JOHN APPLETON		
ELISHA HUTCHINSON			JOHN HIGGINSON		
SAMUEL SEWALL			ANDREW BELCHER		
ISAAC ADDINGTON			SAMUEL PATRIDGE		
WILLIAM BROWN			EDWARD BROMFIELD		
JOHN PHILLIPS			EPHRAIM HUNT		
JONATHAN CORWIN			DANIEL EPPES		
PETER SERGEANT			THOMAS NOYES		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

NATHANIEL PAYNE	}	ESQRS.	JOHN CUSHING	}	ESQRS.
ISAAC WINSLOW			JOHN OTIS		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayne;

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ICHABOD PLAISTED, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, ESQ.

For the Province, at large:—

WILLIAM TAILER & NATHANIEL NORDEN, ESQRS.

¹ See Legislative Records of the Council, ix., 191-193.

REPRESENTATIVES OR DEPUTIES.

May 28, 1712 to April 10, 1712-13.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
 Addington Davenport, Esq.,
 Capt. Thomas Hutchinson,
 Major Thomas Fitch.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestill Clap.
Milton, . . . Mr. Ephraim Tucker.
Brantrey, . . . Capt. John Mills.
Weymouth, . . . Mr. Stephen French.
Hingham, . . . Samuel Thaxter, Esq.
Dedham, . . . Capt. Daniel Fisher.
Medfield, . . . Capt. Samuel Barber.
Mendon, . . . Mr. Samuel Reed.
Wrentham, . . . Mr. John Guilde.
Needham, . . . Mr. Robert Cook.

COUNTY OF ESSEX.

Salem, . . . Mr. Benjamin Lynde,
 Capt. William Boudage.
Lynn, . . . John Burrill, Esq.
Marblehead, . . . Mr. James Smith.
Beverly, . . . Mr. John Balch.
Wenham, . . . Mr. John Porter.
Ipswich, . . . Samuel Appleton, Esq.,
 Mr. Daniel Rindge.
Glocester, . . . Mr. James Parsons.
Rowley, . . . Mr. Ezekiel Jewett.
Andover, . . . Capt. Benjamin Stevens.
Haverhill, . . . Mr. John Hasseltine.
Boxford, . . . Capt. John Paybody.
Bradford, . . . Capt. Richard Kimball.
Newbury, . . . Mr. Cutting Noyes.
Salisbury, . . . Capt. Joseph Eaton.
Amesbury, . . . Mr. John Foot.

COUNTY OF MIDDLESEX.

Cambridge, . . . Thomas Oliver, Esq.
Charlestown, . . . Capt. Samuel Phipps.
Watertown, . . . Mr. John Saunders.
Woburn, . . . Mr. John Pierce.
Reading, . . . Mr. Timothy Willey.
Malden, . . . Mr. John Greenland.
Concord, . . . Capt. Jonathan Prescott.
Billerica, . . . Mr. John Sternes.
Chelmsford, . . . Mr. Stephen Pierce.
Groton, . . . Mr. John Farnsworth.

COUNTY OF MIDDLESEX — *Concluded.*

Lancaster, . . . Mr. John Houghton.
Sudbury, . . . Mr. Matthew Stone.
Marlboro, . . . Mr. Thomas Beaumont.
Sherburn, . . . Mr. Samuel Bullard.
Newton, . . . Mr. John Ward.
Medford, . . . Mr. Stephen Willis.
Frammingham, . . . Mr. Joshua Hemingway.

COUNTY OF HAMPSHIRE.

Springfield, . . . John Pyncheon, Esq.
Northampton, . . . Joseph Parsons, Esq.
Hadley, . . . Samuel Porter, Esq.
Hatfield, . . . Mr. John Dickenson.
Suffield, . . . Atherton Mather, Esq.

COUNTY OF YORK.

York, Capt. Lewis Bane.
Kittery, . . . Mr. Joseph Hammond.
Wells, . . . Mr. Joseph Hill.

COUNTY OF PLIMOUTH.

Plimouth, . . . Mr. Nathaniel Thomas.
Scituate, . . . Mr. John Barker.
Duxboro, . . . Capt. Seth Arnold.
Bridgewater, . . . Mr. Edward Fobes.
Pembroke, . . . Mr. Josiah Barker.

COUNTY OF BARNSTABLE.

Barnstable, . . . Mr. Daniel Parker.
Sandwich, . . . Mr. Eldad Tupper.
Yarmouth, . . . Mr. Peter Thacher.
Harwich, . . . Mr. Gershom Hall.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Simon Davis.
Rehoboth, . . . Mr. Noah Peck.
Swansey, . . . Mr. John Thomas.
Taunton, . . . Mr. Robert Crossman.
Dartmouth, . . . Mr. Jonathan Delanne.
Little Compton, . . . Mr. William Southwell.
Tiverton, . . . Mr. Joseph Tillinghast.
Attleboro, . . . Capt. Joseph Brown.

DUKES COUNTY.

Edgar Town, }
Tisbury, . . . } Mr. Matthew Mahew.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-EIGHTH DAY OF MAY, A.D. 1712.

CHAPTER 1.

ORDER CREATING DIGHTON A NEW TOWN. [*Passed May 30.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
195.

CHAPTER 2.

ORDER ACCEPTING THE REPORT OF THE COMMITTEE FOR DIVIDING
BLUE HILL LANDS. [*Passed May 30.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
195.

CHAPTER 3.

RESOLVE GRANTING A LOAN OF £300, IN BILLS TO M^R BORLAND HER
MAJESTIES AGENT AT ANNAPOLIS ROYAL.

THE HON^{BLE} SAMUEL VETCH ESQ^R Governour of Nova Scotia &c intimating that there is a Quantity of the Bills of Credit on this Province, paid away to the Soldiers in Garrison at Annapolis Royal that are worn & defaced by long Usage; And requesting that the Sum of Three Hundred Pounds in small Bills may be advanced out of the Treasury to M^r John Borland Agent for that Garrison, to exchange the said Bills, which will be for her Majesties' Service; M^r Borland giving Bond to Repay the said Sum of Three Hundred Pounds into the Tresury within the Space of Three Months next coming in good lawful Bills of Credit on this Province;

Legislative
Records of the
Council, ix.,
197.

Legislative
Records of the
Council, ix.,
195.

Resolved that the s^d Request be granted. [*Passed June 3.*]

CHAPTER 4.

ORDER ENLARGING DEERFIELD BOUNDS & TWO ISLANDS GRANTED TO
M^R JN^O WILLIAMS. [*Passed June 3.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
197.

Fifteen Thousand Pounds in the Twenty Shilling Bills of Date 1708: imprinted & put into the Treasury for that Use & for Parts of broken Bills exchanged. [*Passed June 3.*]

CHAPTER 7.

VOTE ACCEPTING THE AGREEMENT FOR SETTLING THE DIFFERENCES BETWEEN THE TWO PRECINCTS OF ANDOVER. [*Passed June 4.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
199.

CHAPTER 8.

RESOLVE ALLOWING £.6 ⁰/₁₀ 6, TO PHILEMON WOOD.

Resolved that the Sum of Six Pounds & six Pence be allowed & paid out of the Publick Treasury to Philemon Wood of Ipswich a Soldier under Cpt. Matthew Perkins in the late Expedition to Canada in full for his Charge of Doctors & Nurses Bills returning Home sick from the s^d Expedition. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
201.

CHAPTER 9.

RESOLVE ALLOWING 40/, TO JOS. TOWN.

Resolved that the Sum of Forty Shillings be allowed & paid out of the publick Treasury to Joseph Town in full for the Charge of his Sons Sickness & Funeral, a Soldier that died in her Maj^{ty}s Service. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
201.

CHAPTER 10.

RESOLVE ALLOWING £.10, TO M^r AARON PORTER.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to the Rev^d M^r Porter in Case he continue in the Work of the Ministry at Medford for one Year. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
201.

Post, chap. 13.

CHAPTER 11.

RESOLVE ALLOWING £.10, TO THO: BAKER & COMPANY.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to Thomas Baker Commander of a Company of Marching Forces in a late Expedition against the Enemy to Coassett, from thence to the West Branch of Merrimack & so to Dunstable in Behalf of him self & Company for one Enemy Indian besides that which they scalp'd, W^{ch} seems very probable to be slain. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
201.

Post, chap. 31.

CHAPTER 12.

Legislative
Records of the
Council, ix.,
201.

Post, chap. 76.
Mass.
Archives,
cxiii., 620-629.

ORDER APPOINTING A COMM^{TEE} FOR DEDHAM & NEEDHAM LINE.
[*Passed June 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 13.

RESOLVE ALLOWING £.10, TO M^R AARON PORTER.

Legislative
Records of the
Council, ix.,
202.

Ante, chap. 10.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to M^r Aaron Porter for his Service in Preaching at Deerfield in the Absence of M^r Williams Minister of that Town when abroad in the Expedition to Canada. [*Passed June 6.*]

CHAPTER 14.

RESOLVE ALLOWING 40/, TO NATH^{LL} WILDER.

Legislative
Records of the
Council, ix.,
202.

Resolved that the Sum of Forty Shillings be allowed & paid out of the Publick Treasury to Nath^{ll} Wilder towards Paying for Cure of a Wound received of the Enemy. [*Passed June 6.*]

CHAPTER 15.

RESOLVE ALLOWING TO JOSEPH BURRILL £.15.

Legislative
Records of the
Council, ix.,
202.

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the Publick Treasury to Joseph Burrill in full Satisfaction for y^e Expence he has been at upon his Son, occasion'd by an Abuse he rec^d in her Maj^{ties} Service. [*Passed June 6.*]

CHAPTER 16.

RESOLVE ALLOWING TO JOS: BLISH £.3, 10.

Legislative
Records of the
Council, ix.,
202.

Resolved that the Sum of Three Pounds & ten Shillings be allow'd & paid out of the publick Treasury to Joseph Blish of Barnstable in full of his Acc^o of Charges of Doctors & Nurses in the Sickness & Funeral of his Son John Blish who sickened & died in his Return Home from the late Expedition designed to Canada. [*Passed June 6.*]

CHAPTER 17.

RESOLVE ALLOWING TO JOS: WALKER £3.

Resolved that the Sum of Three Pounds be allowed & paid out of the Publick Treasury to Joseph Walker in full of his Acc^o of his Son Seth Walkers Sickness, who return'd home sick from her Maj^ys Service. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
202.

CHAPTER 18.

RESOLVE ALLOWING TO RICH^d JACKMAN 14/ 11.

Resolved that the Sum of Fourteen Shillings & one Penny be allow'd & paid out of the publick Treasury to Rich^d Jackman Ferry Man at Newbury in full of his Accompt of Ferryage. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
202.
Post, chap. 112.

CHAPTER 19.

RESOLVE ALLOWING TO THO: GILBERT £18.

Resolved that the Sum of Eighteen Pounds be allowed & paid out of the publick Treasury to Cpt. Thomas Gilbert for his Service as a Pilot in the late Expedition. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
203.

CHAPTER 20.

VOTE ACCEPTING THE ESSEX C^o TREAS^{RS} ACC^o.

AN ACCOMPT of the County Treasurer of Essex; Accepted in the House of Representatives: Read & Concurred. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
203.

CHAPTER 21.

VOTE GRANTING THE PETITION OF JOHN ROLLESTON FOR ABATING HIS EXCISE.

UPON READING a Petition of John Rolleston of Boston Inn-holder being burned out of his House in October last, Sustaining great Loss in his Goods & Moveables & put off from his Employ^{nt} Praying the Sum of Five Pounds set on him for Excise for this last Years Draught may be abated him;

Legislative
Records of the
Council, ix.,
203.

Voted a Concurrence with the Order pass'd thereon in the House of Representatives; That the Prayer of the Petition be granted. [*Passed June 7.*]

CHAPTER 22.

ORDER APPOINTING A COMMITTEE ON THE PETITION OF BABET &c OF TAUNTON TO PURCHASE COUNTRY LANDS, THE COMMITTEE TO ENQUIRE OF THE LANDS. [*Passed June 9.*]

Legislative
Records of the
Council, ix.,
204.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 23.

ORDER GRANTING THE PETITION OF M^r DEAN WINTHROP'S EXECUT^{ES} IN REGARD TO THE TESTATOR'S GRANDCHILDREN.

Legislative
Records of the
Council, ix.,
204.

UPON READING a Petition of Wait Winthrop Esq^r & Coll: Adam Winthrop execut^{rs} to the Estate of M^r Dean Winthrop late of Pulling Point Dec^d at the Instance & Desire of Dean Grover & John Grover Grand-Sons of the said Dec^d Setting forth that the s^d Dean Winthrop by his Will left his Estate to be equally divided among his two Grand-Sons & his two Grand Daughters when the youngest should be of Age, the Income of his Estate to be likewise equally divided, The Grand Sons Parts to be employed towards their Education, Praying that they may be impowered & authorized to pay unto the said two Grand Sons both now of Age, having been at no Charge to the Estate for their Education, their Shares & Divisions of the neet Proceeds of the Income of the Estate hitherto, & likewise hereafter from Year to Year as it shall come to Hand until the Gen^l Division of the Estate (according to the Provision in the Will) can be made; And further that they may be indemnified for what they have been hitherto necessitated to disburse for Maintenance of Priscilla Hough one of the Grand Daughters & authorized for the Future to defray the necessary Charges for her maintenance & an Education suitable to her Circumstances, And that her Part of the Personal or real Estate may be applied thereto, so far as her Proportion of the annual Income shall fall short of Answering the same & in Case of her Death before the Division of the Estate be made & her Share thereby be devolved to others, yet the disbursements to be made as aboves^d may be esteem'd good & valid & the Exec^{rs} be indemnified & discharged from any Claims or Molestations from y^e Survivors by Reason thereof.

Ordered that the Prayer of the said Petition in the sev^l Articles thereof be granted & that the Execut^{rs} Petitioners do yearly pass the Accompt of their disbursements with the Judge of Probate in the County, whose Allowance thereof shall be a Discharge to the Executors. [*Passed June 9.*]

CHAPTER 24.

ORDER ERECTING A NEW TOWN NAMED ABINGTON. [*Passed June 10.*]

Legislative
Records of the
Council, ix.,
205.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 25.

ORDER OF HEARING ON THE PETITION OF MEDFIELD WEST INHAB^{TS}
TO BE MADE A TOWN. [*Passed June 10.*]

Legislative
Records of the
Council, ix.,
205.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

Post, chap. 134.

CHAPTER 26.

ORDER GRANTING YORK £20, FOR THEIR MINISTER.

UPON READING a Petition of Cpt. Lewis Bane Representative of the Town of York, Praying that in Consideration of the present Difficulties & Distress upon the said Town by Reason of the Insults of the Enemy, the Sum of Twenty Pounds, which is the Tax of the said Town this Year may be given & appropriated to the Maintenance of their Minister;

Legislative
Records of the
Council, ix.,
206.

Concur'd to the Order pass'd thereon in the House of Representatives; Viz, That the Prayer of the Petition be granted. [*Passed June 10.*]

CHAPTER 27.

ORDER DIRECTING REHOBOTH TO SUPPORT A MINISTER AT PALMERS RIVER.

IN THE AFFAIR of Rehoboth, relating to the Settling of a Minister at Palmers River within the South Military Precinct of the s^d Town,

Legislative
Records of the
Council, ix.,
206.

Upon Representation that most of the Inhabitants at & about Palmers River live very remote from the present Place of Publick Worship in the s^d Town of Rehoboth, whereby but few of them are capable to travel so far, & that only at some Times of the Year, & then with great Weariness & Spending a great Part of the Lords Day in Going & Returning, the greater Part of their Families being necessitated to abide at Home, & they having made their Address to the Town & also to this Court some Time past to be considered in that Respect, & the Court having recommended it to the Town to provide for the Support of a Minister in that Part of the Town, which they express them selves sensible of the Necessity of in a Hearing had before this Court: It is therefore

Post, chap. 108.
Mass.
Archives, xi.,
386-390.

ADVISED & DIRECTED that the Inhabitants of the said Town of Rehoboth annually raise the Sum of One Hundred & twenty Pounds for y^e Support of y^e Ministry in Addition to their Tax for other Town Charges to be assess'd & collected therewth without Distinction in Manners as by Law is directed & the s^d Sum of One Hundred & twenty Pounds to be issued & paid by the Town Treasurer or the Select Men to the Ministers of the Town for the Time being, in this Proportion, Viz, Seventy Pounds thereof to the Minister of the first Church & Congregation in the Body of the Town, & the other fifty Pounds to the Minister of the Congregation at Palmers River; Unless the Town of Rehoboth do agree upon a method among them selves for the Support of two Ministers in the said two Parts of the Town, & report the same

to this Court at their Session in the Fall of the Year, Otherwise this Order to take Effect at the End of that Session; And this at the Motion of the Representative. [*Passed June 10.*]

CHAPTER 28.

ORDER ADVANCING PRISONERS WEEKLY SUBSISTENCE TO 3/.

Legislative
Records of the
Council, ix.,
206.

UPON READING a Petition of Seth Smith Keeper of her Majesties Goal in Boston, Praying an Advance of y^e Weekly Allowance for the Subsistence of Prisoners;

Ordered that in Consideration of the Dearness of Provisions the Subsistence of Prisoners be advanced to three Shillings per Week, till this Court take further Order. [*Passed June 10.*]

CHAPTER 29.

RESOLVE ALLOWING £.10, TO CPT. TIM^O BRETT.

Legislative
Records of the
Council, ix.,
207.

THE FOLLOWING RESOLVE pass'd in the House of Representatives;
Viz,

Executive
Records of the
Council, v., 542,
560.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to Cpt. Timothy Brett for his good Service with eighty one of the Chesters Men in the Sloop Ann in Convoying the Coasters this Spring from Connecticutt to Boston.¹ [*Passed* June 10.*]

CHAPTER 30.

RESOLVE ALLOWING TO PAUL DUDLEY ESQ^R ATTORNEY GEN^{LL} £.30.

Legislative
Records of the
Council, ix.,
207.

THE FOLLOWING RESOLVE pass'd in the House of Representatives upon the Petition of Paul Dudley Esq^r Attorney Gen^{ll} Read & Concurred: Viz,

Resolved that the Sum of Thirty Pounds be allowed & paid out of the Publick Treasury to the Petitioner Paul Dudley Esq^r Attorney Gen^{ll} in full for his Service in the said Office to this Time. [*Passed June 11.*]

¹ No other action than the foregoing on the part of the House of Representatives, appears in the Legislative Records; but in the Executive Records of the Council, v., 560, there is the following:—

"June 10, 1712. Pursuant to a Resolve passed by the General Assembly in their present Session that the sum of Ten pounds be allowed & paid out of the Publick Treasury to Capt^u Timothy Brett for his good service with eighty one of the Chesters men in the Sloop Anne in convoying the Coasters this Spring from Connecticutt to Boston

"Advised & consented That a Warrant be made out to the Treasurer to pay the above sum of Ten pounds to the s^d Captⁿ Brett accordingly."

CHAPTER 31.

RESOLVE ALLOWING TO THO: BAKER & COMP^A £.20.

UPON READING a Petition of Lieut. Thomas Baker Commander of a Party in a late Expedition to Coassett & over to Merrimack River, Praying a further Allowance for more of the Enemy Indians killed by them than they could recover their Scalps, as Reported by the Enemy themselves; Concur'd with the Resolve pass'd thereon: Viz, That the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to the Petitioner & Company. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
207.

Ante, chap. 11.
Executive
Records of the
Council, v., 559,
562.

CHAPTER 32.

VOTE ALLOWING YORK C^O TREAS^R ACC^O.

THE ACCOMPT of the last Years Accompt of the County Treasurer of York Allowed by the House of Representatives; Read & Concurred. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
207.

CHAPTER 33.

VOTE ALLOWING DUKES C^O TREAS^R ACC^O.

THE LAST YEARS Accompt of the County Treasurer of Dukes County, Allow'd by the House of Repres^{tes} Read & Concur'd. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
207.

CHAPTER 34.

ORDER MAKING MANAMOIT A TOWN & NAMED CHATHAM. [*Passed June 11.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
207.

Mass.
Archives,
cxlii., 609-612.
Legislative
Records of the
Council, State
Library copy,
ix., 180.

CHAPTER 35.

VOTE ABATING EXCISE ON CPT. SAM^{LL} PHIPPS PETITION.

UPON READING a Petition of Cpt. Samuel Phipps Setting forth that his Letter Case with several Sums of Bills of Credit & other Papers therein were taken out of his Pocket in the Press & Croud of People at the Time of the late Standing of some Criminals in the Pillory at Boston & that he had in the said Letter Case the Sum of seven Pounds two Shillings & six Pence, he received by Direction of the Treasurer of John Hill of Chelmsford, Inn-holder for his Excise in the Year 1710. & was about to carry it into the Treasury, Praying that the Treasurer may be ordered to abate the said Sum of Seven Pounds two Shillings & six Pence in Discharge of the Petitioner.

Legislative
Records of the
Council, ix.,
208.

Voted a Concurrence with the Order pass'd thereon in the House of Representatives, Viz, That the Prayer of the Petition be Granted. [*Passed June 12.*]

CHAPTER 36.

RESOLVE GRANTING JN^O CLARK ESQ^{RS} PETITION IN REGARD TO ENTAIL.

Legislative
Records of the
Council, ix.,
208.

Sewall's
Diary, ii., 361.

UPON READING a Petition of John Clarke Esq^r Setting forth that his Grand-father John Clark Gentleman of Boston within the County of Suffolk Physician diverse Years since Deceased being seized in his own Demesne as of Fee of a certain Messuage Tenement or Dwelling House with a large Yard & Garden adjoining & belonging, scituate at the Northerly End of the Town of Boston on the Westerly Side of Fish Street, & a Wharf & some Buildings lying on the Easterly Side of the Street & Right in the Flatts to the Sea-board thereof, All which he devised in & by his last Will & Testament to his only Son John Clark, Father of the Petitioner (since deceased) & the Heirs Male in Tail, now descended to the Petitioner, the Buildings being old & fallen to Despair, notwithstanding the Petitioners Disbursements of considerable Sums of Money from Time to Time to uphold the same, & will soon become ruinous without a far greater Expence made thereon, which the Petitioner is unable to advance without apparent wrong to his Family, having several Children; Proposing & Praying that the Tail may be cutt off from Part of the said Land on the Westerly Side of of¹ the afore said Street, Viz, on the Northerly Side thereof abutting on Gallops Alley so called, for Thirty Feet in Breadth Easterly next the Street, & the like Breadth on the Westerly End, abutting on Samuel Flacks Land, which will not be one Third Part of the Breadth of the whole Land on that upper Side of the Street & contains one Hundred Feet in Depth, & that the same may be assigned to him his Heirs & Assigns for Ever in Fee with out Limitation, that he will in Lieu thereof at his own Cost and Charge build out the Wharf on the Easterly Side of the Street One Hundred Feet in Length to the Sea-board of Thirty two Feet in Breadth, And erect a Building or Ware-house thereon of sixty Feet in Length & eighteen Feet wide to remain under the same Tail with the other Part of the Lands and Buildings:

William Clark only Brother of the Petitioner & next Heir in Tail to the Premises in Failure of the Petitioners Male Heirs, agreeing to the said Proposal & having subscribed the Petition;

Ordered that the Prayer of the Petition be Granted. [*Passed June 12.*]

CHAPTER 37.

RESOLVE FOR PURCHASING £300, BILLS OF EXCH^A FOR M^R AGENT DUMMER.

Legislative
Records of the
Council, ix.,
209.

Post, chap. 69.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three Hundred Pounds Sterling to be paid to M^r Jeremiah Dummer in London Agent for this Province. [*Passed June 12.*]

¹ *Sic.*

CHAPTER 38.

RESOLVE ALLOWING TO CPT. BANE & CO. £.10, A PRISONER FOR FOUR INDIAN PRISONERS.

UPON READING a Petition of Cpt. Lewis Bane in Behalf of him self & Company, Setting forth that four Indians taken Prisoners in the last Winters Expedition Eastward were by his Excellencies Order exchanged for John Stagpole, William Witcomb, George Rounds & Deborah Spencer Captives in the Hands of the Indian Enemy; PRAYING that the Sum of Ten Pounds for each Prisoner may be ordered out of the publick Treasury:

Resolved that the Prayer of the Petition be Granted. [*Passed June 12.*]

Legislative
Records of the
Council, ix.,
209.

Executive
Records of the
Council, v., 599.

CHAPTER 39.

RESOLVE ALLOWING TO JON^A COLLIDGE £3¹¹ 19¹¹ 8.

Resolved that the Sum of Three Pounds nineteen Shillings and eight Pence be allowed & paid out of the publick Treasury to Jonathan Coolidge in full of his Accompt for Sickness & Funeral Charges of his Son Joseph Coolidge, who sickened & died whilst a Soldier in her Majesties Service. [*Passed June 12.*]

Legislative
Records of the
Council, ix.,
210.

CHAPTER 40.

VOTE ACCEPTING TREAS^{RS} ACCT^S & GRANTING HIS DISCHARGE.

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver General of this Province beginning the thirtieth Day of May 1711. and Continued into the thirty first Day of May 1712, Amounting to the Sum of Eighty six Thousand One Hundred & seventeen Pounds one Shilling, having bin presented & laid before the House of Representatives and inspected by said House, By which it appears there was standing out on the said thirty first of May of the several Assessments, Nine Thousand & thirty six Pounds and five Pence, as also of the Duties of Impost &c (as by Accompt received from M^r Daniel Russel Commissioner) One Thousand four Hundred fifty six Pounds, twelve Shillings & three Pence to be drawn into the Treasury & further to be accounted for;

Voted that the said Accompts in the several Articles of Receipts & Payments therein mentioned amounting unto the Sum of Sixty five Thousand three Hundred & eleven Pounds sixteen Shillings & nine Pence be & hereby are approved and allowed of, And the said Treasurer is hereby discharged of the said Sum of Sixty five Thousand three Hundred & eleven Pounds sixteen Shillings & nine Pence. [*Passed June 12.*]

Legislative
Records of the
Council, ix.,
210.

CHAPTER 41.

RESOLVE ALLOWING TO STEPHEN PLUMMER £.6.

Legislative
Records of the
Council, ix.,
210.

Resolved that the Sum of Six Pounds be allowed & paid out of the Publick Treasury to Stephen Plummer in full for Sickness Charges whilst in her Majesties Service. [*Passed June 12.*]

CHAPTER 42.

RESOLVE ALLOWING TO HUM: BRADSTREET £.1, 15.

Legislative
Records of the
Council, ix.,
210.

Resolved that the Sum of One Pound & fifteen Shillings be allowed & paid out of the Publick Treasury to Humphrey Bradstreet Chirurgeon in full of his Accompts of Medicines & Administrations to David Allen a sick Soldier in her Majesties Service. [*Passed June 12.*]

CHAPTER 43.

RESOLVE ALLOWING £.3, TO EDWARD PHELPS.

Legislative
Records of the
Council, ix.,
210.

Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to Edward Phelps for Charges on Benjamin Corey a Soldier taken sick in her Majesties Service. [*Passed June 12.*]

CHAPTER 44.

ORDER OF ALLOW^A TO THE COMM^{TEE} FOR OVERSEEING THE NEW BUILDING FOR A COURT HOUSE.

Legislative
Records of the
Council, ix.,
211.

Post, chap. 49.

IN CONSIDERATION that Addington Davenport Esq^r & M^r William Payne two of the Committee that take Care for the Building of the Town House in Boston have more especially & constantly improved their Time in that Service, and are likely so to do;

Ordered that Twenty Shillings per Week be allowed to each of them from the first of March last untill the said Building be finished, if they continue to perform the like Service, To be paid in Manner as the Charge of the said House is by this Court directed. [*Passed June 13.*]

CHAPTER 45.

VOTE ACCEPTING THE REPORT OF THE COMM^{TEE} ABOUT THE REPAIRS OF CASTLE WILLIAM.

Legislative
Records of the
Council, ix.,
211.

Post, chap. 62.

A REPORT of the Committee appointed by the General Court to visit his Majesties Castle William & to see what Works are necessary to be done, Upon Viewing of the same, We find that the old Wall of the Upper Fort is much decayed & that it should be well searched & repaired as

in Part is already done about a Quarter by the Masons that are now at Work, We also find it necessary that a Common Shore or Drain from the Necessary House down the Ditch without the Line of Communication, till it comes eight or nine Feet below High Water, the Leading is to be good with Stone that they may be Preserved & made clean, & thereby will prevent the Damnifying of the Works, And that some Part of the outward Walls be pointed that are gone to Decay; We are of the Mind that if a Carpenter & Mason were Constantly kept at the Castle to keep Things in Repair it would be of Service to the Province.

JOHN APPLETON in Behalf of
the Committee.

June 11. 1712.

Read & Accepted by the Council & Representatives, & the Committee thanked for their Service, the Carpenter & Mason to be of the Number of the Garrison, & to have two Shillings per Day each when they work over & above their stated Wages. [*Passed June 13.*]

CHAPTER 46.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE FOR LAYING OUT LANDS IN DRACUT. [*Passed June 13.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
212.

CHAPTER 47.

RESOLVE FOR PRINTING £.5000, OF BILLS OF CREDIT AND FOR EMITTING £.3000, THEREOF, ALSO FOR REISSUING £.6000, OF BILLS COMING TO THE TREASURY, AND FOR PROVIDING A FUND AS SECURITY.¹

Resolved that the Sum of Five Thousand Pounds of Bills of Publick Credit on this Province be further & forthwith made by the Committee last appointed to make such Bills & upon the same Plates with the Bills ordered to be made the last Session, Who shall be paid for their Making them in the same Proportion as for the last they made.

Legislative
Records of the
Council, ix.,
213.
Post, chap. 78.

That the said Committee deliver the Sum of Three Thousand Pounds to the Treasurer taking his Receipt for the same, And keep the remaining Two Thousand Pounds in their Hands unsign'd untill further Order from this Court;

And the Treasurer is hereby directed & impowered to Issue forth & Emitt the said Sum of Three Thousand Pounds, together with the Sum of Six Thousand Pounds more of the Bills of Publick Credit that are or shall be received into the Treasury towards Payment of the Publick Debts of the Province already contracted; & the further growing Charge for the Defence thereof, For the Supplying & Subsisting of the Province Galley & Sloop Forts Garrisons & Forces raised & to be raised & employed within the same & for Wages arising from their Service, for Payment of Grants Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour by & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money & shall be taken

¹ Printed in the notes to the Acts of the year 1712-13, Province Laws, i., 707; reprinted here, as important.

& accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent more.

And that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in of the said Bills to the Treasury again so far as that will reach;

And as a further Fund & Security for the same; for the Payment of Soldiers Wages, & for Defraying of the further necessary growing Charge of the Province, the Defence of her Majesties Subjects & Interests within the same & Support of the Governm^t thereof; There be & hereby is granted to her most Excellent Majesty for the Ends & Uses aforesaid a Tax of Nine Thousand Pounds on Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in May 1717, To be paid into the Treasury Five Thousand Pounds thereof on or before the last Day of November 1717, And the remaining Four Thousand Pounds on or before the last Day of May 1718. [*Passed June 13.*]

CHAPTER 48.

RESOLVE ALLOWING TO MATTHEW STONE FOR DAN^{LL} TAYLOUR,
£.2¹¹ 13¹¹ 2.

Legislative
Records of the
Council, ix.,
214.

Resolved that the Sum of Two Pounds thirteen Shillings & two Pence be allowed & paid out of the Publick Treasury to M^r Matthew Stone to Defray the Charge of the Sickness of Daniel Taylour a Soldier in her Majesties Service. [*Passed June 13.*]

CHAPTER 49.

RESOLVE FOR GRANT OF A LOAN TO THE TOWN OF BOSTON TOW^{DS}
THEIR PART OF Y^E CHARGE OF Y^E NEW PUBLICK BUILDING.

Legislative
Records of the
Council, ix.,
214.

Ante, chap. 44.
Post, chap. 114.
Records of
Boston Select-
men, 1701–1715,
p. 165.

UPON A REPRESENTATION from the Select Men of Boston, that they are unable to pay the Towns Proportion towards the Charge of the new Edifice now erecting within the same for the publick Service & Occasions of the Province County & Town untill a Tax be assessed on the Town & Collected, W^{ch} can not be performed untill the latter end of the Year, And there being a present Demand of Money for Purchasing Materials, & Paying off the Workmen employed in & about the Building.

Resolved that the Treasurer be directed to supply & furnish the Treasurer of the Town of Boston with such Sum or Sums in the Bills of Credit as he shall inform are necessary to be soon advanced on the Towns Part for Carrying up the said Building, not exceeding seven Hundred Pounds in the Whole upon good & sufficient Security to be given to repay such Sum or Sums again into the Treasury on or before the first Day of February next coming. [*Passed June 13.*]

CHAPTER 50.

ORDER ON THE PETITION OF SWANZEY WEST INHAB^{TS} FOR A TOWN-SHIP. [*Passed June 13.*]*[Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."]*Legislative
Records of the
Council, ix.,
214.

CHAPTER 51.

RESOLVE ALLOWING N PAYNE S THAXTER & N BLAGROVE £.29 ¹¹ 5 ¹¹ 10.*Resolved* that the Sum of Twenty nine Pounds five Shillings & ten Pence be allowed & paid out of the Publick Treasury to Nath^l Payne & Sam^l Thaxter Esq^{rs} & M^r Nath^l Blagrove a Committee for Running the Line between this Province & the Governm^t of Rhoad Island to defray their Accompt of Time & Expence. [*Passed June 13.*]Legislative
Records of the
Council, ix.,
215.

CHAPTER 52.

RESOLVE ALLOWING CHRIS: CAPRIOL £.40.

Resolved that the Sum of Forty Pounds be allowed & paid out of the Publick Treasury to Christopher Capriol Tenant upon Noddles Island in full for Damage done him by her Majesties British Forces under General Hill encamped there the Summer past 1711. [*Passed June 13.*]Legislative
Records of the
Council, ix.,
215.
Mass.
Archives,
lxxi., 828, 829.

CHAPTER 53.

RESOLVE ALLOWING FREETOWN £.20, FOR A MINISTER.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury towards Maintaining of a Minister in the Town of Freetown for the Year ensuing & in Proportion for such Part of the Year as they are supplied with an Orthodox learned Minister if they are not the Whole. [*Passed June 13.*]Legislative
Records of the
Council, ix.,
215.

CHAPTER 54.

RESOLVE ALLOWING TIVERTON £.25, FOR A MINISTER.

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury towards Maintaining of a Minister in the Town of Tiverton the Year ensuing, & in Proportion for such Part of the Year as they are supplied with a learned orthodox Minister, If they are not the Whole. [*Passed June 13.*]Legislative
Records of the
Council, ix.,
215.
Executive
Records of the
Council, v., 517.

CHAPTER 55.

RESOLVE ALLOWING £.250, TO THE GOVERN^R.Legislative
Records of the
Council, ix.,
215.*Post*, chap. 121.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the Publick Treasury to his Excellency Joseph Dudley Esq^r Captain Gen^l & Govern^r in Chief of this her Maj^{ties} Province for his Support in Managing the Affairs of the Government. [*Passed June 14.*]

CHAPTER 56.

RESOLVE ALLOWING £.50, TO Y^E LIEU. GOV^R.Legislative
Records of the
Council, ix.,
216.Sewall's
Diary, ii., 351.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} William Tailer Esq^r L^d Gov^r in Consideration of his Readiness at all Times to serve this Province. [*Passed June 14.*]

CHAPTER 57.

RESOLVE ALLOWING £.200, TO THE JUDGES OF Y^E SUP^R COURT.Legislative
Records of the
Council, ix.,
216.Sewall's
Diary, ii., 351.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the Publick Treasury to the Honourable the Judges of the Superior Court in Proportion to the Courts they attended the Year past. [*Passed June 14.*]

CHAPTER 58.

RESOLVE ALLOWING £.225, TO M^R TREAS^R TAYLOUR.Legislative
Records of the
Council, ix.,
216.

Resolved that the Sum of Two Hundred & twenty five Pounds be allowed & paid out of the Publick Treasury to M^r James Taylour Treas^r for his Service in the s^d Office the Year past. [*Passed June 14.*]

CHAPTER 59.

RESOLVE ALLOWING £.20, A P^S TO E HUTCHINSON P TOWNSEND & J LEVERET ESQ^{RS}.Legislative
Records of the
Council, ix.,
216.

Resolved that the Sum of Twenty Pounds each be allowed & paid out of the Publick Treasury to Elisha Hutchinson, Penn Townsend & John Leveret Esq^{rs} for their Service in an Expedition to Port Royal 1707. [*Passed June 14.*]

CHAPTER 60.

RESOLVE ALLOWING £.20, TO M^R JN^O WHITE.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to M^r John White Clerk of the House of Representatives in Part for his Service the Year Curr^d. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
216.

Post, chap. 124.

CHAPTER 61.

ORDER FOR ENCOURAGEM^T OF VOLUNTIER^S AGAINST Y^E ENEMY BY
ADV^A OF THEIR PAY.

Ordered that every experienced Officer, who upon Application made to his Excellency the Governour shall obtain his Licence & Commission to enlist a suitable Number of able bodied Men Voluntiers for the Service against the Indian Enemy to march into the Woods to visit them at their Head Quarters & other Places of Rendezvouz, such Officers & Soldiers for their Encouragem^t voluntarily to offer them selves to the Service shall be paid Wages as follows; Viz,

Legislative
Records of the
Council, ix.,
216.

Sewall's
Diary, ii., 351.

Every Captain, Forty five Shillings per Week;

Every Officer & private Centinel under his Command to be proportionably advanced in Wages above the present Establishment;

That six Pence per Diem per Man be allowed them for Subsistence;

That they be entituled to the Præmium of Sixty Pounds per Scalp for every Male Enemy Indian qualified as the Law directs by them slain and other the Advantages by Prisoners & Plunder by Law granted;

The afore said Præmium of Sixty Pounds to be granted to all the standing Forces as well marching as in Garrison;

That every Company or Party going forth upon this Encouragem^t that shall presume unnecessarily to Hunt after Game to the Retarding or Impeding their March either in their Going out or in their Return back shall be cashiered of their Weekly Wages;

That as soon as any Company is made Compleat in Number & well equipped for Service they immediately march, And upon the s^d Day of their March, they enter upon their Weekly Pay & upon the Day of their Return it shall determine.

That every Chief Officer keep an exact Journal of every Days Service & upon their Return lay the same before the Court at their next Session after their Return;

This Act to continue in Force till the tenth of December next & no longer. [*Passed June 14.*]

CHAPTER 62.

RESOLVE FOR PROVIDING SACRE & MINION SHOT FOR CASTLE W^M.

A MEMORIAL presented about the Want of a Store of Shot at her Majesties Castle William, for the low Sacres of six Pounds Forty Rounds, for the Minions twenty Rounds

Legislative
Records of the
Council, ix.,
217.

[In Council

Read and]

Voted a Concurrence with the Resolve pass'd thereupon in the House

Ante, chap. 45.
Post, chap. 80.
 Executive
 Records of the
 Council, v., 552.

of Representatives; Viz, That the Shot mentioned above to be wanting at Castle William be provided at the best Rate that may be & paid for out of the Publick Treasury. [*Passed June 14.*]

CHAPTER 63.

RESOLVE ALLOWING £.30, TO M^R JN^O WILLIAMS, DEERFIELD.

Legislative
 Records of the
 Council, ix.,
 217.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the Publick Treasury to the Rev^d M^r John Williams of Deerfield towards his Maintenance in the Work of the Ministry for the Year Curr^t. [*Passed June 14.*]

CHAPTER 64.

RESOLVE ALLOWING £.5⁰⁰ 18, TO ELIS. GEDDING WIDOW.

Legislative
 Records of the
 Council, ix.,
 217.

Resolved that some of Five Pounds & eighteen Shillings be allowed & paid out of the Publick Treasury to Elisabeth Geddings Widow for Sickness & Funeral Charges of James Ford a Soldier in the late Expedition to Canada. [*Passed June 14.*]

CHAPTER 65.

RESOLVE ALLOWING £.20, TO M^R JOHN JAMES, BROOKFIELD.

Legislative
 Records of the
 Council, ix.,
 217.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury towards the Maintenance of M^r John James in the Work of the Ministry at Brookfield the Year Curr^t. [*Passed June 14.*]

CHAPTER 66.

RESOLVE ALLOWING £.30, TO M^R JA: MAXWELL.

Legislative
 Records of the
 Council, ix.,
 217.

Resolved that the Sum of Thirty Pounds be allowed & paid to M^r James Maxwell out of the Publick Treasury, as Door keeper to his Excellency the Governour & this Court for his Service the Year past ending the eighth Day of the present Month. [*Passed June 14.*]

CHAPTER 67.

RESOLVE ALLOWING £.3, TO SAM^{LL} MAXWELL.

Legislative
 Records of the
 Council, ix.,
 217.

Resolved that the Sum of Three Pounds be allowed & paid out of the Publick Treasury to Samuel Maxwell for his Assisting his Father M^r James Maxwell this Session as Door keeper to his Excellency the Governour & this Court. [*Passed June 14.*]

Post, chap. 130.

CHAPTER 68.

RESOLVE ALLOWING £.10, TO DUNSTABLE FOR THEIR MINISTRY.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury towards the Maintenance of the Ministry in the Town of Dunstable the last Half Year. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
217.

CHAPTER 69.

ORDER FOR HONOURING M^r AGENT DUMMERS BILL OF EXCHANGE.

THE FOLLOWING ORDER annexed to a Bill of Exchange for One Hundred eighty three Pounds fifteen Shillings drawn by M^r Agent Dummer upon the Treasurer, Pass'd in the House of Repres^{es} Read & Concur'd ;
Viz,

Legislative
Records of the
Council, ix.,
218.

Ordered that the Treasurer be directed to honour this Bill of Exchange, And Accompt with M^r Dummer for the same. [*Passed June 14.*]

Ante, chap. 37.
Post, chap. 74.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTIETH DAY OF AUGUST, A.D. 1712.

CHAPTER 70.

Legislative
Records of the
Council, ix.,
221.

ORDER APPOINTING A COMMITTEE FOR READING WEST PRECINCT. [*Passed August 21.*]

Legislative
Records of the
Council, ix.,
206.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 71.

VOTE GRANTING THE PETITION OF MESS^{RS} HARRIS & BANT FOR ABATEMENT OF IMPOST.

Legislative
Records of the
Council, ix.,
221.

Legislative
Records of the
Council, ix.,
221.

[UPON READING] The Petition of Mess^{rs} William Harris & Gilbert Bant for the Abatement of the Impost of Eighteen Pipes & ten Barrels of Wine saved of the Cargo on Board their Sloop William & Sarah David Lewis Master from Fayal cast away on Nantuckett in October last & the Vessel & Men & the rest of the Cargoe lost;

Voted That the Prayer of the Petition be granted. [*Passed August 21.*]

CHAPTER 72.

ORDER OF HEARING ON WATERTOWN EAST CONGREGATION MEMORIAL.
[*Passed August 21.*]

Legislative
Records of the
Council, ix.,
222.

Post, chap. 107.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 73.

VOTE GRANTING THE PETITION OF HENRY FRANKLIN FOR REMITTING HIS EXCISE.

Legislative
Records of the
Council, ix.,
223.

UPON READING a Petition of Henry Franklyn of Boston Retailer, Setting forth his great Loss in the Time of the late Fire in Boston in which he was burnt out; Praying he may be remitted the Sum of Ten Pounds set upon his Excise for his Draught;

Voted That the Prayer thereof be granted. [*Passed August 22.*]

CHAPTER 74.

VOTE DIRECTING PAYMENT OF £.208,, 5, TO SAM^{LL} SEWALL ESQ^R FOR M^R AGENT DUMMERS BILL OF EXCH^A.

Legislative
Records of the
Council, ix.,
223.

Ordered that M^r Treasurer be directed to pay to Samuel Sewall Esq^r the Sum of Two Hundred & eight Pounds five Shillings in Bills of Publick Credit to answer M^r Agent Dummers Bill of Exchange of One Hundred eighty three Pounds fifteen Shillings. [*Passed August 22.*]

Ante, chap. 69.
Post, chap. 104.
Legislative
Records of the
Council, ix.,
222.

CHAPTER 75.

VOTE ACCEPTING THE COMM^{TEES} REPORT ABOUT THE WEARE BRIDGE IN TAUNTON.

Taunton July 23. 1712.

Legislative
Records of the
Council, ix.,
223.

WHEREAS we the Subscribers were at the Sessions of the General Court begun & held at Boston on the twenty eighth Day of May last appointed a Committee to hear the Allegations of the Agents of the several Towns of Dartmouth Tiverton, Little Compton & Freetown & other the Gentlemen from any other the adjacent Towns in the County of Bristol, referring to the Continuing & Repairing the Weare Bridge over the great River in Taunton afore said, And to make Report thereon to the said Court at their next Sessions; Thereupon we the said Subscribers pursuant to the afore said Order mett at Taunton afore said on the twenty third Day of July; And proceeded on the Affair afore-said, And having heard the Allegations of the Select Men & other Inhabitants of Taunton afore said, & the Agents & Gentlemen concerned as afore said relating to the afore said Affair, And having also viewed the High Ways Roads & Bridges in the said Town of Taunton are humbly of Opinion that the said Weare Bridge is very convenient & necessary for the Publick & ought to be continued & kept in good Repair, And that the said Towns of Dartmouth, Tiverton, Little Compton & Freetown having Occasion for the said Bridge, & as yet but little Charge of that Nature among them selves ought to pay to the said Town of Taunton towards the present Repairs of the said Bridge the Sum of Twenty Pounds in Bills of Credit on this Province, to be proportioned upon & paid by each of the said Towns respectively according as the Province Tax is sett & apportioned upon each of them for this present Year; And that the Towns of Dartmouth, Tiverton, Little Compton & Freetown for Ever after the Payment afore said be free & quit from any further Contribution towards the Repairing the said Bridge & that the said Town of Taunton having very great Occasion for the said Bridge & considerable Advantages by the said River, ought to bear the Residue of the Charge & take the Care of Maintaining & Repairing the said Bridge from Time to Time for the Future.

ISAAC WINSLOW

JOHN CUSHING

NATH^{LL} PAYNE

SETH ARNOLD.

In Council: Read & Accepted.

Concurréd by the Representatives, the Charge of the Comm^{tee} to be born half by the Town of Taunton the other Half by the other Towns abovementioned in Proportion as they are to pay to the Bridge; each of ¹ them to receive five Shillings per Day for their Service & Expenses. [*Passed August 22.*]²

¹ *Sic.*

² There is no record of action by the Council upon the provision added by the House of Representatives; but the usual words, "Consented to, J Dudley," follow the provision, as if the action was complete.

CHAPTER 76.

VOTE ACCEPTING REPORT OF THE COMMITTEE ON THE DEEDHAM & NEEDHAM DIVIDING LINE. [*Passed August 22.*]

Legislative
Records of the
Council, ix.,
224.

Ante, chap. 12.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 77.

RESOLVE GRANTING AN INDULGENCE TO THE INHAB^{TS} OF BOSTON FOR COVERING THEIR NEW BUILDINGS.

Legislative
Records of the
Council, ix.,
224.

WHEREAS by Reason of the Number of Brick Houses now in Building & about to be built within the Town of Boston to repair the Wasts made there by the late great Fire, & the Difficulty of Obtaining Tile or Slate timely enough for Covering the Roofs renders it impracticable presently to comport with the Law in that Respect, And the said Buildings must for some Time be useless without a present Indulgence for Covering in other Manner;

Resolved that it shall be in the Liberty of the Owners of all such Houses built or Building as afore said, or that hereafter may be built in the Town of Boston within the Space of two Years from this Time & no longer, to cover the same with Shingles or any other suitable Materials. PROVIDED that they Slate or Tile the said Houses within four Years Time after the Roofs are raised; Any Law Usage or Custom to the Contrary notwithstanding. [*Passed August 22.*]

CHAPTER 78.

RESOLVE FOR IMPRINTING £1000, IN BILLS OF CREDIT.

Legislative
Records of the
Council, ix.,
225.

Ante, chap. 47.
Post, chap. 91.

Resolved that the Sum of One Thousand Pounds of Bills of Publick Credit on this Province be further & forthwith made by the Committee last appointed to make such Bills & upon the same Plates with the Bills ordered to be made the last Session, Who shall be paid for their Making them in the same Proportion as for the last they made:

That the said Committee deliver to the Treas^r the said Sum of One Thousand Pounds together with the two Thousand Pounds ordered to ly unsign'd in their Hands, having first signed them, taking his Receipt for the same And the Treasurer is hereby directed & impowered to issue forth & Emit the said Sum of Three Thousand Pounds towards Payment of the publick Debts of the Province already contracted & the further growing Charge for the Defence thereof, for the Supplying & Subsisting of the Province Galley & Sloop, Forts Garrisons & Forces raised & to be raised & employed within the same, & Wages arising for their Service, For Payment of Grants Salaries & Allowances made & to be made by this Court according to such Draughts as from Time¹ shall be made upon him by Warrant or Order of the Governour by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money, And shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent. more.

¹ *Sic.*

An[d] that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in of the said Bills to the Treasury again.
[*Passed August 22.*]

CHAPTER 79.

ORDER UPON THE PETITION OF DAN^{LL} GELUSHA IN REGARD TO A GUN.

UPON READING a Petition of Daniel Gelusha late of Dunstable setting forth that about six Years past, when the Indians attack'd & took the Garrison of Daniel Gelusha his Father in Dunstable, he being posted there under her Majesties Pay, & serving with his own Armes, when Running hastily to take his own Gun by Mistake took one of the publick Guns, & the Enemy pressing sore upon him he was forced to make his Escape, the House being burnt by the Enemy with his Gun & others therein, upon which Coll. Tyng stops Forty Shillings of his Wages for the said Gun, Praying for Relief;

Legislative
Records of the
Council, ix.,
225.

Ordered that the Petitioner return the Publick Gun to Coll Tyng & that he then take off the Stop of his Wages, And the Petitioner be further allowed twenty Shill^{ss} out of the Treasury for the Loss of his Gun. [*Passed August 22.*]

CHAPTER 80.

VOTE ACCEPTING THE COMM^{TEES} REPORT ABOUT REPAIRS AT CASTLE WM.

PURSUANT to Order we viewed the late Repairs at Castle William and apprehend them well done & the Common Shore which they are now about We esteem necessary; We have also viewed the Wall of the Inner Fort, W^{ch} we find very defective & insufficient, but the Season of the Year being so far advanced that the Work would not consolidate: We are of Opinion it may be best now to mend the Breach in the said Wall, And take an earlier Season of the Year to rebuild it.

Legislative
Records of the
Council, ix.,
226.

Ante, chap. 62.
Post, chap. 138.

(Sign'd) ELISHA HUTCHINSON per Order of
the Committee

Read & Accepted. [*Passed August 22.*]

CHAPTER 81.

ORDER ABATING THO: PHILLIPS EXCISE FOR THIS YEAR.

UPON READING a Petition of Thomas Phillips of Boston Retailer, Praying to be reimbursed the Sum of Ten Pounds Excise paid for his last Years Draught or otherwise relieved in Consideration of his great Loss sustained by the great Fire in the Town of Boston

Legislative
Records of the
Council, ix.,
226.

Voted That the Sum which the Petitioner is obliged to pay for Excise the Year Currant be remitted & abated to him. [*Passed August 23.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SECOND DAY OF OCTOBER, A.D. 1712.

CHAPTER 82.

ORD^R ON SALEM NEW PRECINCT PETITION.

Legislative
Records of the
Council, ix.,
230.

Post, chap. 93.

A PETITION preferred by Cpt. Samuel Gardner, Sam^l Stone & Thorn-
dick Proctor on Behalf of the Inhab^s of the Middle or New Parish in
Salem; Read, Complaining of their being Assessed to the Support of
the Ministry in the first Parish;

Ordered That the Petitioners cause the Select Men & Assessors of
Salem to be notified of the Petition, And that they (one or more of
them) be heard before this Court upon Wednesday the twenty ninth
of of¹ October Curr^t at two a Clock Post Merediem, If any Thing they
have to say Why the Petitioners should not be relieved. [*Passed Octo-
ber 23.*]

CHAPTER 83.

VOTE APPOINTING A COMMITTEE TO RUN A LINE FROM ANGLE TREE
TO ACCORD POND, WRENTHAM. [*Passed October 23.*]

Legislative
Records of the
Council, ix.,
230.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 84.

ORD^R REFERRING TO CHEBAQUEDOCK ISLAND. [*Passed October 24.*]

Legislative
Records of the
Council, ix.,
231.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 85.

Legislative
Records of the
Council, ix.,
232.

Post, chap. 141.

ORDER OF HEARING ON THE PETITION OF INHABITANTS OF ROYAL
SIDE IN SALEM & BEVERLY FOR A PRECINCT. [*Passed October 25.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 86.

ORD^R FOR SALE OF SAM^{LL} FOWLES LAND.

UPON READING a petition of Robert Cutler & Joseph Wood Administ^{rs} on the Estate of Susanna Cook formerly Fowle, late of Charlestown Widow Dec^d & Guardians to Bariah Susanna & Sarah Fowle Daughters of the s^d Dec^d, Praying the Revival of an Order of this Court at their Session in October 1709, for Sale of about Twenty five Acres of Up-land & Meadow lying in Woburn without Fence remaining of y^e Estate of Sam^{ll} Fowle Dec^d

Legislative
Records of the
Council, ix.,
232.

Voted That the Prayer of the Petition be granted & that the Petition^{rs} with Cpt. Sam^{ll} Phipps joined with them as Trustee be impowered to make Sale of the Land, pursuant to the Grant of this Court Oct. 26: 1709, to w^{ch} the Petition refers, so that the Money produced by the Sale of the Land within mentioned be employed for Paym^t of Sam^l Fowles Debts & the Overplus for the Education of the Children.
[*Passed October 25.*]

CHAPTER 87.

RESOLVE ALLOWING £5^{..} 17^{..} 6, TO JOHN BURRILL ESQ^R FOR A BEACON AT NEHANT.

AN ACCOMPT presented by John Burrill Esq^r of y^e Charge of Erecting a Beacon at Nahant in Lyn in March last past amounting to Five Pounds seventeen Shillings & six Pence with the Resolve pass'd thereon by y^e Repres^{ves} Viz,

Legislative
Records of the
Council, ix.,
233.

Post, chap. 145.

Resolved that the Sum of Five Pounds seventeen Shillings & six Pence be allowed & paid out of the publick Treasury to John Burrill Esq^r to discharge the Acc^o on the other Side: Read & Concur'd.
[*Passed October 28.*]

CHAPTER 88.

RESOLVE ALLOWING £.20, TO COLL. W^M DUDLEY.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Coll: William Dudley in full for his Service as Secretary at War in an Expedition to Port-Royal under the Command of Collonel March in the Year 1707. [*Passed October 29.*]

Legislative
Records of the
Council, ix.,
234.

Legislative
Records of the
Council, ix.,
226.

CHAPTER 89.

RESOLVE ALLOWING TO RICH^D HARRIS & JEFFRY BEDGOOD £.20, EACH.

Resolved that there be allowed & paid out of the publick Treasury to Rich^d Harris & Jeffry Bedgood, Pilots in the late intended Expedition to Canada, & ordered by this Governm^t to attend her Majesty, the Sum of Twenty Pounds each; Viz, Ten Pounds for one Months Pay, which they have not rec^d & ten Pounds, for each of their Passage Home.
[*Passed October 29.*]

Legislative
Records of the
Council, ix.,
234.

CHAPTER 90.

RESOLVE ALLOWING WM HOLLAND £.12.

Legislative
Records of the
Council, ix.,
234.

Resolved that there be allowed & paid out of the Publick Treasury to William Holland late Captive in Canada & ordered by the Governm^t to attend her Majesty with an Account of that Countrey the Sum of Twelve Pounds in full for his Passage home & what he petitions for. [*Passed October 29.*]

CHAPTER 91.

RESOLVE FOR PRINTING £.7000, IN BILLS & £.3000, MORE TO BE RE-PEATED.¹

Legislative
Records of the
Council, ix.,
234.

Ante, chap. 78.
Post, chap. 147.

Resolved that the Sum of Seven Thousand Pounds of Bills of publick Credit on this Province be further & forthwith made by the Committee last appointed to make such Bills & upon the same Plates with the Bills last made (Saving that there be double the Number upon the smallest Plates) who shall be paid for their Making them in the same Proportion as for the last they made, That they deliver the said Bills to the Treasurer, taking his Receipt for the same;

And the Treasurer is hereby directed & impowered to issue forth & Emit the said Sum of Seven Thousand Pounds together with the Sum of Three Thousand Pounds more of the Bills of Publick Credit that are or shall be received into the Treasury towards Payment of the Publick Debts of the Province already contracted & the further growing Charge for the Defence thereof, for the Supplying & Subsisting of the Forts Garrisons & Forces raised & to be raised & employed within the same & Wages arising for their Service, For Payment of Grants Salaries & Allowances made & to be made by this Court according to such Draughts as from Time to Time shall be made upon him by Warrant or Order from the Governour by & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent more:

And that the Duties of Impost & Excise shall be a Fund & Security for y^e Repayment & drawing in of the s^d Bills to the Treasury again, so far as that will reach;

And as a further Fund & Security for the same, for the Paying of Soldiers Wages, And for Defraying the further necessary growing Charge of the Province, the Defence of her Majesties Subjects & Interests within the same & Support of the Governm^t thereof, There be & hereby is granted unto her most Excellent Majesty to the Ends & Uses afore said a Tax of Ten Thousand Pounds, seven Thousand Pounds thereof to be levied on Polls & Estates both Real & Personal within this Province, according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in May One Thousand seven Hundred & seventeen, And three Thousand Pounds at their Session in May One Thousand seven Hundred & eighteen, To be paid into the Trea[sury] seven Thou-

¹ Printed in the notes to the Acts of the year 1712–13, Province Laws, i., 707.

sand Pounds on or before the last Day of May One Thousand, seven Hundred & eighteen, And the remaining Three Thousand Pounds on or before the last Day of November One Thousand seven Hundred & Eighteen. [*Passed October 29.*]

CHAPTER 92.

VOTE APPOINTING A THANKS-GIVING.

Advised that a Gen^l Thanks-Giving be celebrated through out this Province upon Thursday the twentieth of November next. [*Passed October 29.*]

Legislative
Records of the
Council, ix.,
235.

Ante, chap. 149.
Executive
Records of the
Council, v., 612.

CHAPTER 93.

VOTE DISCHARGING SALEM PRECINCT FROM PAYM^t TO THE MINISTRY IN THE BODY OF THE TOWN.

ON CONSIDERATION of the Pleas & Allegations respectively made by the Agents for the New Precinct in Salem & the Select Men & Assessors of the said Town relating to an Assessm^t made upon the Inhabitants of the said Precinct towards the Support of the Ministry in the Body of the Town in a full Hearing had yesterday before this Court;

Legislative
Records of the
Council, ix.,
236.

Ante, chap. 82.

Resolved & Declared that the said Precinct being sett off by Order of this Court, And having worthily performed their Engagem^t in Erecting a convenient Meeting House for the publick Worship of God & settled a learned orthodox Minister, & Provided an honourable Support for him, They are not further chargeable to the Support of the Ministry in the Body of the Town being no longer of the Audience there,

AND the Assessment made lately upon the Inhabitants of the said Precinct for the Ministry in the Body of the Town by the Select Men & Assessors & all Warrants issued for the Collecting & Destraining for the same be & hereby are superseded & made null & void. [*Passed October 30.*]

CHAPTER 94.

RESOLVE ALLOWING TO SUSANNAH HEWET £.1 „ 17, & HER SONS WAGES.

IN ANSWER to the Petition of Susanna Hewett Widow;

Resolved that the Sum of One Pound seventeen Shillings be allowed & paid out of the Publick Treasury to the Petitioner to defray the Charge of her Son John Hewetts Sickness & Funeral, being taken sick whilst in her Majesties Service, And that the Treas^r be directed to pay the Wages due to him upon the Sloop Anns Muster Roll to the Petitioner. [*Passed October 30.*]

Legislative
Records of the
Council, ix.,
236.

CHAPTER 95.

VOTE ACCEPTING THE COMISSARY GEN^{LLS} ACCOMPTS REPORTED.

Legislative
Records of the
Council, ix.,
237.

Post, chap. 151.
Executive
Records of the
Council, v., 604,
607.

A REPORT of a Committee appointed by the House of Representatives to examine & audit the Accompts of Andrew Belcher Esq^r Commissary Gen^l Viz, That they had examined his Accompts from Feb: 25. 1711, 12. to Sept: 10. 1712, & find them right cast & well vouch'd, And that on the said tenth Day of September there was due from the Province to the said Commissary, the Sum of Eight Hundred sixty nine Pounds fourⁿ Shillings and two Pence, As was reported by the Comm^{tee} of the Hon^{ble} Council that audited the said Accompt.

(Sign'd) THO: FITCH JAMES SMITH,
SAM^{LL} PORTER, ATHERTON MATHER:
Comm^{tee}

Read & *Voted* a Concurrence with the Order pass'd thereon in the House of Representatives; Viz, That the Report above written be Accepted & the Commissary be discharged accordingly. [*Passed October 31.*]

CHAPTER 96.

RESOLVE ALLOWING TO BEAMSLY PERKINS £.12ⁿ 1ⁿ 4, CHARGES ON THE DISPATCH FRIGOTT.

Legislative
Records of the
Council, ix.,
237.

AN ACCOMPT of Charges expended by Cpt. Beamsly Perkins for Fitting out the Dispatch Frigott a Transport in the late intended Expedition to Canada, with a Resolve pass'd thereon in the House of Repres^{ves} Read & Concur'd: Viz,

Resolved that the Sum of twelve Pounds one Shilling & four Pence be allowed & paid out of the publick Treasury to Cpt. Beamsly Perkins the Accomptant in full of his Accompt. [*Passed October 31.*]

CHAPTER 97.

RESOLVE REFERRING TO THE ISLAND OF TUCKANNOCK. [*Passed November 1.*]

Legislative
Records of the
Council, ix.,
238.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 98.

ORDER OF HEARING ON TOPSFIELD PETIT^N. [*Passed November 1.*]

Legislative
Records of the
Council, ix.,
238.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 99.

ORDER OF HEARING ON HATFIELD PETITION. [*Passed November 1.*][*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]Legislative
Records of the
Council, ix.,
238.

CHAPTER 100.

ORDER REMITTING TO COMMISSARY PREBBLE £.5,, 4,, 2, THE BALL^A OF HIS ACC^O.

AN ACCOMPT of Cpt. Abraham Prebble Commissary at York for Provisions wanting; Sent up from the Representatives with their Order thereon; Viz, That the Ballance that M^r Commissary Prebble is indebted by the Accompt above upon the adjusting his Accompts be remitted to him, being Five Pounds, four Shillings & two Pence: Read & Voted a Concurrence. [*Passed November 1.*]

Legislative
Records of the
Council, ix.,
238.

CHAPTER 101.

ORDER CONFIRMING SURVEY OF LAND LAID OUT TO M^R JN^O COTTONS HEIRS. [*Passed November 3.*]Legislative
Records of the
Council, ix.,
239.[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes and determining territorial boundaries."*]Maps and
Plans, iv., 7.

CHAPTER 102.

RESOLVE ALLOWING TO MARTIN KELLOG £.25.

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury to Martin Kellog of Deerfield in full of his Petition for a Ransom paid to obtain his Liberty from the Indians, Expences at Quebeck & for the Loss of his Arms &c being taken Prisoner when in her Majesties Service. [*Passed November 3.*]

Legislative
Records of the
Council, ix.,
239.

CHAPTER 103.

RESOLVE ALLOWING TO MAHUMIN HINSDALE £.6,, 15.

Resolved that the Sum of six Pounds fifteen Shillings be allowed & paid out of the Publick Treasury to Mahumin Hinsdale in full of his Petition for Charges & Expence to obtain his Liberty from the Indians &c. being taken Prisoner about three Years since carried to Canada & from thence transported to old France. [*Passed November 3.*]

Legislative
Records of the
Council, ix.,
240.

CHAPTER 104.

RESOLVE FOR PAYING TO M^R AG^T DUMMER £.5¹¹ 1¹¹ 6, STERL^G.Legislative
Records of the
Council, ix.,
240.*Ante*, chap. 74.
Post, chap. 105.*Resolved* that M^r Agent Dummer be repaid by the Province the Sum of Five Pounds one Shilling & six Pence Sterling, w^{ch} 1 Mahunim 2 Hinsdale & Joseph Clesson borrow'd of him in London :And that the Sum of Four Pounds one Shilling & six Pence $\frac{1}{2}$. be allow'd & paid out of the Publick Treasury to Joseph Clesson. [*Passed November 3.*]

CHAPTER 105.

RESOLVE ALLOWING TO JOS: CLESSON £.20.

Legislative
Records of the
Council, ix.,
240.*Ante*, chap. 104.*Resolved* that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to Joseph Clesson in full of his Petition for Charges & Expences to obtain his Liberty from the Indians, for his necessary Support & Passage Home being taken Prisoner about three Years since, Carried to Canada & from thence transported to Old France. [*Passed November 3.*]

CHAPTER 106.

RESOLVE ALLOWING TO IS^A CHASE £.1¹¹ 18.Legislative
Records of the
Council, ix.,
240.*Resolved* that the Sum of Thirty eight Shillings be allowed & paid out of the Publick Treasury to Isaac Chase in full of his Acc^o of Ferryage. [*Passed November 4.*]

CHAPTER 107.

ORD^R FOR THE SUPPORT OF THE MINISTRY IN THE EAST & MIDDLE PRECINCT IN WATERTOWN.Legislative
Records of the
Council, ix.,
241.*Ante*, chap. 72.
Post, chap. 135.WHEREAS by the Direction & Order of this Court the Ministers of the respective Churches & Congregations in the Easterly & Middle Precinct or Division of the said Town of Watertown have been supported by a voluntary Subscription of the Auditors in the several Congregations &c made divers Years past, whereto they obliged their Persons & Estates, Since which by Reason of Death & Removal of many Persons & Alienations made of Estates, that Way & Method is become less practicable than heretofore, as is insinuated upon a Hearing had of Agents for the said respective Congregations before this Court & the annual Payment made to the Ministers in the sev^l Congregations being little different, Viz, about eighty four Pounds per Annum to each ;It is therefore *Advised & Directed* that the Payment to the said Ministers be continued at Eighty four Pounds per Annum each ;

And that the Sum of One Hundred sixty eight Pounds be henceforth annually assess'd & levied upon the Inhabitants of the said two Precincts by the Assessors of the Town for the Support of the Ministry

¹ Written thus, "wth."² "Mahumin" in chapter 103.

in those two Divisions by the Rules established by Law for apportioning of Town Taxes & to be added thereto, & Collected with their other Assessments into the Town Treasury & to be issued & paid by the Town Treasurer or Select Men in equal Proportion to the Ministers of the afore said two Precincts; that the Charge of Repairing the Meeting Houses & Ministers Houses or for Purchasing further Accomodations for the Ministry as also all past dues to y^e Ministry since the Parting of the Congregations be born & paid by each Congregation separately & respectively, & each Congregation is authorized & impowered to levy & collect the same distinctly & separately accordingly.

The two Precincts to bear the Charge of Removing the middle Meeting House more Westerly, when that Precinct shall determine so to do:

This Order being effectually put in Execution, the former Method for the Support of the said Ministry thenceforth to cease & determine. [*Passed November 4.*]

CHAPTER 108.

ORDER ON REHOBOTH ADDRESS.

AN ADDRESS of the Town of Rehoboth Praying a Respite of this Courts Advice referring to the Support of two Ministers in the said Town; Read, & referred to Consideration at the next Session of this Court in May, As also a Petition of Samuel Peck & others of the said Town relating to the Ministry. [*Passed November 5.*]

Legislative
Records of the
Council, ix.,
242.
Ante, chap. 27.

CHAPTER 109.

ORD^R UPON Y^E HEARING OF KITTERY LOWER PRECINCT. [*Passed November 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
242.

CHAPTER 110.

RESOLVE ALLOWING TO L^T DAN^{LL} GILBERT £.5^{..} 13.

Resolved that the Sum of Five Pounds & thirteen Shillings be allow'd & paid out of the Publick Treasury to Lieutenant Daniel Gilbert in full of his Charge & Expence for Doctors & Attendance in his Sickness being taken sick whilst in her Majesties Service. [*Passed November 6.*]

Legislative
Records of the
Council, ix.,
243.

CHAPTER 111.

RESOLVE FOR PAYING TO REB. SANGER £.3^{..} 16^{..} 2.

Resolved that the Sum of Three Pounds sixteen Shillings & two Pence be paid out of the publick Treasury to Rebekah Sanger for Sickness & Funeral Charges of her Son John Sanger taken sick in her Majesties Service & sixteen Shillings to Palsgrove Willington the Doctor. [*Passed November 6.*]

Legislative
Records of the
Council, ix.,
243.

CHAPTER 112.

RESOLVE ALLOWING TO RICH^d JACKMAN £.10.

Legislative
Records of the
Council, ix.,
243.

Ante, chap. 18.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to Richard Jackman in full of his Petition for Doctors & Charges on his Son Sam^l Jackmans Sickness being taken sick whilst in her Maj^{ties} Service. [*Passed November 6.*]

CHAPTER 113.

ORDER ON JOHN WEBSTERS PETITION IN REGARD TO AN ACTION OF TRESPASS.

Legislative
Records of the
Council, ix.,
243.

UPON READING a Petition of John Webster of Hampton, Setting forth That in an Action of Trespass brought against him by Cpt. John Wadleigh of Salisbury for Cutting Thatch or Sedge in a certain Piece of Marish Ground belonging to the Petitioner, lying in the Township of Hampton within the Province of New-Hampshire, three Miles & a Quarter distant from Merimack River in any Part thereof, depending in the Inf^r Court within the County of Essex, under Advisem^t upon the Petitioners Plea to the Jurisdiction; Praying the Cause may be superseded, The Line betwixt the two Provinces not being adjusted & settled;

Ordered that the said Cause be superseded for six Months next Coming, And that the Justices of the Court govern them selves accordingly. [*Passed November 7.*]

CHAPTER 114.

ORDER OF INSTRUCT^N TO Y^E COMM^{TEE} FOR Y^E PROV: & COURT HOUSE.

Legislative
Records of the
Council, ix.,
244.

Ante, chap. 49.
Post, chap. 115.

Ordered that it be an Instruction to the Committee appointed to build the Province & Court House, that they fit the East Chamber for the Use of his Excellency the Govern^r & the Hon^{ble} the Council, the Middle Chamber for this House the West Chamber for the Sup^r & Inf^r Courts. [*Passed November 7.*]

CHAPTER 115.

ORDER FOR ONLY TWO OFFICES BELOW STAIRS IN Y^E PROV: & COURT HOUSE.

Legislative
Records of the
Council, ix.,
244.

Ante, chap. 114.
Post, chap. 148.

Ordered by both Houses that there be but two Offices below Stairs in the Province & Court House now Building in Boston, One for the Secretary the other for the Register of Deeds in the County of Suffolk. [*Passed November 7.*]

CHAPTER 116.

RESOLVE ALLOWING TO M^r PRESID^t LEVERET £.30.

Resolved that the Sum of Thirty Pounds be added to the Allowance of the Rev^d M^r John Leveret, President of Harvard College for the Year next coming & p^d out of y^e Publick Treasury. [*Passed November 7.*]

Legislative
Records of the
Council, ix.,
244.

CHAPTER 117.

ORDER ON COLL. CHURCH'S PETITION FOR SETTLEMENT OF LINE OF LANDS ON TAUNTON RIVER. [*Passed November 7.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
244.

Mass.
Archives,
xlv., 389-396.

CHAPTER 118.

ORDER OF HEARING ON TAUNTON PETITION.

UPON READING a Petition of the Select Men of Taunton refering to the Payment of Arrears due to M^r George Shove their former Minister, Whilst the South Precinct (now sett off a distinct Town by the Name of Dighton) was then Part of Taunton, Praying that they may be ordered to pay their Part of the said Arrears;

Legislative
Records of the
Council, ix.,
244.

Ordered that the Petitioners serve Jared Talbot Esq^r & other principal Inhabitants of the Town of Dighton with a Copy of the Petition, That they may shew Reason if any they have Why the Prayer thereof may not be granted, on the first Fryday of the next Session of this Court, Unless the Matter of Difference be agreed before that Time. [*Passed November 7.*]

CHAPTER 119.

ORDER GRANTING THO: CHITTEY'S PETITION FOR SALE OF LAND.

UPON READING a Petition of Thomas Chetty in Behalf of him self & Dorcas his Wife, Mary Clark & the Rest of the Children of Jacob Green of Charles-town Dec^d Praying to be Enabled to make Sale of two Third Parts of a certain Piece of Land lying seittuate in Boston near the Town House, the other Third being held by Samuel Bill & lies undivided, the Buildings thereon being desolated by the Great Fire, The Land being uncapable of a Division to Advantage or of separate Buildings, so lies dead, W^{ch} can be disposed of & the Money put out for the Benefit of the Petition^r & y^e Rest of y^e Children

Legislative
Records of the
Council, ix.,
244.

Post, chap. 140.

Ordered that the Prayer of the Petition be granted & a Bill be drawn accordingly; PROVIDED that the Land be Security for the Principal & Interest of the Minors. [*Passed November 7.*]

CHAPTER 120.

ORD^R ON JOSHUA SEEKNOTS PETITION IN REGARD TO A JUDGMENT
BY DEFAULT AGAINST HIM.

Legislative
Records of the
Council, ix.,
245.

Legislative
Records of the
Council, ix.,
255.

UPON READING a Petition of Joshua Sucknot Indian Sachem of the Island of Chepaquidock in Dukes County, Praying that a Cause lately given against him by Default in the Inferiour Court of Common Pleas holden at Edgar Town in the said County in an Action of Trespass brought against Nicholas & Phinehas Norton by John Norton before Benjamin Skiffe Esq^r one of her Majesties Justices on the eighteenth of August 1712, Where the Petitioner at his Request was admitted Defend^t & obtained Judgem^t for Costs From w^{ch} the said John Norton appealed to the Inf^r Court afore said & there obtained the Judgem^t by Default; Praying that the said Cause may be brought to the next Sup^r Court of Judicature to be holden at Plimouth & that the said John Norton be obliged there to appear, that the Issue between him & the Petitioner may be there tried;

Ordered that the Prayer of the Petition be granted, That the Cause be brought to the next Superiour Court of Judicature to be holden at Plimouth & that an Ord^r be drawn accordingly.¹ [*Passed November 8.*]

CHAPTER 121.

RESOLVE ALLOWING £.250, TO HIS EX^{COY} THE GOV^R.

Legislative
Records of the
Council, ix.,
245.

Ante, chap. 55.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the Publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Governour in Chief of this her Majesties Province, for his Support in Managing the Affairs of the Government. [*Passed November 8.*]

CHAPTER 122.

RESOLVE ALLOWING £.60, TO IS^A ADDINGTON ESQ^R.

Legislative
Records of the
Council, ix.,
246.

Resolved that the Sum of Sixty Pounds be allowed & paid out of the Publick Treasury to the Honourable Isaac Addington Esq^r for his extraordinary Service for this Province the Year Curr^t. [*Passed November 8.*]

¹ In the following January Seeknot petitioned the legislature for the order which was to be drawn in his favor, and received it in these terms:—

“*Ordered* that the Prayer of the Petition be granted, & That the Court receive & hear the Cause accordingly the Petitioner Causing the adverse Party to be served with a copy of this Order by the Sheriff or his Deputy fifteen Days at the least before the Sitting of the said Court.”—Legislative Records of the Council, ix., 255.

The Secretary's record of this second petition sets out more fully the nature of the suit in question. It is here stated that Seeknot complained “of undue Proceedings in a Suit brought by John Norton against Nicholas & Phineas Norton for Trespass for Driving a Mare of the said John Nortons off the said Island by Direction of the Petitioner, And in which Suit he was admitted Defendant.”—*Ibid.*

CHAPTER 123.

RESOLVE ALLOWING £.200, TO THE COMMISSARY GENERAL.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} Andrew Belcher Esq^r Commissary Gen^l for his good Service in the said Office the Year past, Ending y^e nineteenth Day of August last. [*Passed November 8.*]

Legislative
Records of the
Council, ix.,
246.

CHAPTER 124.

RESOLVE ALLOWING £.30, TO M^R JN^O WHITE.

Resolved that the Sum of Thirty Pounds be further allowed & paid out of the publick Treasury to John White Clerk of this House¹ for his Service in the Year Currant. [*Passed November 8.*]

Legislative
Records of the
Council, ix.,
246.
Ante, chap. 60.

CHAPTER 125.

RESOLVE ALLOWING £.20,, 15, TO JOSEPH BARTLET.

Resolved that the Sum of Twenty Pounds & fifteen Shillings be allowed & paid to Joseph Bartlett in full of his Petition of Charges & Expences to obtain his Liberty from the Indians being taken Prisoner at Haverhill when in her Majesties Service in the Year 1708: & for his Support during four Years Captivity & the Loss of his Arms. [*Passed November 8.*]

Legislative
Records of the
Council, ix.,
246.

CHAPTER 126.

RESOLVE ALLOWING £.8,, 19, TO COLL. THO: NOYES.

Resolved that the Sum of Eight Pounds & nineteen Shillings be allowed & paid out of the publick Treasury to the Hon^{ble} Coll. Thomas Noyes for Snow Shoes omitted in his former acc^o. [*Passed November 8.*]

Legislative
Records of the
Council, ix.,
246.

Province
Laws, ix.,

CHAPTER 127.

RESOLVE ALLOWING £.1, TO JOHN WEBBER.

Resolved that the Sum of One Pound be allowed & paid out of y^e publick Treasury to John Webber Ferry Man at Cape Neddock in full of his Accompt of Ferryage. [*Passed November 8.*]

Legislative
Records of the
Council, ix.,
246.

¹ The Council concurred. See Legislative Records of the Council, ix., 245, preamble to the resolve in favor of Dudley.

CHAPTER 128.

RESOLVE ALLOWING £.3¹¹ 15¹¹ 9, TO EDW^D SERGEANT.

Legislative
Records of the
Council, ix.,
246.

Resolved that the Sum of Three Pounds fifteen Shillings & nine Pence be allowed & paid out of the Publick Treasury to Edward Sergeant in full of his Accompt of Ferryage. [*Passed November 8.*]

CHAPTER 129.

RESOLVE ALLOWING £.4¹¹ 10, TO JON^A FARNSWORTH.

Legislative
Records of the
Council, ix.,
246.

Resolved that the Sum of Four Pounds ten Shillings be allowed & paid out of the Publick Treasury to Jonathan Farnsworth in Grotton for Charges by him expended upon Jn^o Wheeler a sick Soldier in her Majesties Service in the Year 1711. [*Passed November 8.*]

CHAPTER 130.

RESOLVE ALLOWING £.4, TO SAM^{LL} MAXWELL.

Legislative
Records of the
Council, ix.,
246.
Ante, chap. 67.

Resolved that the Sum of Four Pounds be allowed & paid out of the Publick Treasury to Samuel Maxwell for his Service as Door-keeper to the House of Representatives this Session & the last. [*Passed November 8.*]

CHAPTER 131.

RESOLVE ALLOWING £.13¹¹ 10, TO CPT. CYP. SOUTHACK.

Legislative
Records of the
Council, ix.,
246.

Resolved that the Sum of Thirteen Pounds ten Shillings be allowed & paid out of the Publick Treasury to Cpt. Cyprian Southack in full for his Loss of Time in Drawing of Maps, Meeting of Pilots, & Expence in Manning of Transports. [*Passed November 8.*]

CHAPTER 132.

ORDER CONTINUING THE WHITE & DOWDING CASE.

Legislative
Records of the
Council, ix.,
246.

Ordered that the Hearing betwixt Edward White & Joseph Dowding depending before this Court be continued to the next Session. [*Passed November 8.*]

CHAPTER 133.

ORDER IMPOWERING MEHETABEL DWIGHT TO SELL LAND.

UPON READING a Memorial presented by Mehetabel Dwight Relict Widow & Sole Administ^r of the Estate of her Husband Nath^l Dwight late of Northampton Dec^d Setting forth that her said Husband dying seized of a House & Homestead in Enfield formerly Joseph Saxtons & a certain Tract of Land in Springfield formerly John Kellums & some Land in Brookfield did in his Life Time verbally contract & convey the said Land to divers Persons having also considerable Debts to pay, Which she is unable to discharge without Alienating some Part of her said Husbands Estate ; Praying that she may be licenced together with her Father Samuel Patridge Esq^r joined with her to sell the said Land & make legal Conveyance thereof ;

Legislative
Records of the
Council, ix.,
247.

Ordered that the Prayer of the Petition be granted & the Petitioner with her Father Samuel Patridge Esq^r are hereby impowered to make Sale of the Lands within mentioned & to Execute Deeds accordingly.
[*Passed November 8,*

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1712.

CHAPTER 134.

ORDER GRANTING THE PETITION OF WEST MEDFIELD FOR A SCHOOL
HOUSE, ETC.

Legislative
Records of the
Council, ix.,
249.

Ante, chap. 25.

THE FOLLOWING ORDER upon the Petition of sundry of the Inhabitants living on the Westerly Side of Charles River within the Town of Medfield; Pass'd in Council at the August Session was upon a second Petition now offer'd *Voted* to be revived & was concurred by the Representatives; Viz,

Upon a Hearing had of both Parts of the Town the Court are of Opinion that it is necessary there be an Audience & Schooling in the Western Part of the Town: And recommend it to the Consideration of the whole Town in a publick Meeting to agree upon a reasonable Allowance to their Bretheren in the Western Part of the Town to Assist in Building their Meeting House, As also to an annual Sum to be raised in Joint for the Support of the Ministry & Schooling in both Parts of the said Town betwixt this & the Session of this Court in May next 1713: And in Default thereof the Court then to proceed to a further Consideration of the Petition. [*Passed January 1.*]

CHAPTER 135.

Legislative
Records of the
Council, ix.,
250.

Ante, chap. 107.
Post, chap. 152.

ORDER ESTABLISHING A NEW TOWN NAMED WESTON. [*Passed January 1.*

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 136.

VOTE REMITTING TO JOS. HILLER £12, EXCISE.

Legislative
Records of the
Council, ix.,
251.

UPON READING a Petition of Joseph Hiller of Boston Retailer, Praying to be remitted the Sum of Twelve Pounds set upon him for Excise in the Year 1711. his Habitation being consumed in the great Fire happening in the said Town on the second of October in the same Year, In which he lost a considerable Value in Drink as well as in other Goods, who was one of the principal Sufferers by that Fire;

Voted that the Prayer of the Petition be granted. [*Passed January 3.*]

CHAPTER 137.

VOTE IMPOWERING MARY GIBBS TO MAKE SALE OF LAND.

UPON READING a Petition of Mary Gibbs of Boston Widow Relict & sole Administratrix of Robert Gibbs Merch^t Dec^d Setting forth that some Tenements in Cornhill Street in Boston the Estate of her late Dec^d Husband were consumed in the late Fire in October 1711. Whereby her Income for the Support of her Family & Education of her Children is diminished, And she having undertaken to build upon the said Land for the Advantage of her self & Children, And the Stock left by her Husband not being sufficient without great Detriment to her Trade to finish the said Buildings, Praying she may be Enabled & Impowered by this Court to sell a certain Parcell of Pasture Land scituate in Boston near to Charles-town Ferry purchased by her Husband a little before his Decease the better to Enable her to defray the Charges of Building on the said Land in Cornhill which will be of greater Benefit & Improvement to her self & Children then the small Rent of the said Pasture;

Legislative
Records of the
Council, ix.,
252.

Voted that the Prayer of the Petition be granted. [*Passed January 3.*]

CHAPTER 138.

VOTE ACCEPTING REPORT OF THE COMMITTEE ABOUT REPAIRS AT CASTLE WM.

THE REPORT of the Committee appointed to view the Breaches made by the late Storms at Castle William; Viz,

Having been down & viewed the same, & finding that the Ravelins on the Easterly & Westerly Sides are very much impaired, Are of Opinion that the same be repaired by suitable Stone Wall made about them & also that the Easterly Side of the Chappel be repaired.

Jan. 3^d 1712.

(Sign'd) Is^a WINSLOW
in the Name of the Comm^{tee}

Legislative
Records of the
Council, ix.,
252.

Ante, chap. 80.

Read & Accepted. [*Passed January 3.*]

CHAPTER 139.

RESOLVE ALLOWING £.33, TO BENJ^a JOHNS FOR HOUSE RENT FIRING & CANDLES.

Resolved that the Sum of Twenty five Pounds be further allowed & paid out of the Publick Treasury to M^r Benjamin Johns in full for the Use the Government has made of his House the Year past, Ending the 17th Day of October last, & the further Sum of Eight Pounds in full for Fire Wood & Candles to the End of the present Session. [*Passed January 3.*]

Legislative
Records of the
Council, ix.,
253.

CHAPTER 140.

ORDER IMPOWERING THO: CHETTEY &c TO SELL LAND.

Legislative
Records of the
Council, ix.,
253.

Ante, chap. 119.

UPON READING a Petition of Thomas Chetty & Dorcas his Wife & Mary Clark Widow two of the Daughters & Coheirs of Jacob Green late of Charles town Mariner & Mary his Wife both Dec^d Setting forth that the said Jacob & Mary Green died seized in their own Right in Fee of two Thirds of a certain Messuage or Tenement & Land thereto belonging, scituate at the Upper End of King Street in Boston within the County of Suffolk, as Tenants in Common with the Heirs of Thomas Robinson Dec^d Who have conveyed their Interest remaining undivided unto Samuel Bill of Boston Victualler, W^{ch} said Tenement & Structures are lately demolished by Fire & the Ground lies void & unimproved, & it is so narrow that it cannot admit of a conveniency for divers Tenements, neither are the Children and Heirs of the said Jacob Green capable to support the Charge of Building thereupon, & some of them are Minors, And having the Offer of a good Price for their Interest in the said Land, PRAYING that they may be empowered in Behalf of the Rest of the Children to make Sale & dispose thereof to the best Advantage;

Ordered that the Prayer of the Petition be granted, And the Petitioners are empowered in Behalf of the Rest of the Children & themselves to bargain for & sell the said Land at the best Rate and Price they can get for the same, And to seal execute & acknowledge a good & sufficient Deed in the Law for Conveying thereof, Provided nevertheless that the Land be Security & stand Charged for Securing the Payment of such Part of the Purchase Consideration as the Proportion belonging to the Minors or Children within Age & lawful Interest for the same, The Principal to be paid to them respectively as they arrive to full Age, The Interest to be paid yearly in the Interim to their Guardians to and for their Education. [*Passed January 5.*]

CHAPTER 141.

Legislative
Records of the
Council, ix.,
254.

Ante, chap. 85.
Post, chap. 154.

ORDER APPOINTING A COMMITTEE IN REGARD TO A PRECINCT PETITIONED FOR BY SALEM MEN &c. [*Passed January 5.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 142.

ORDER FOR EXCHANGING A BILL OF CREDIT FOR CPT. ARNOLD.

Legislative
Records of the
Council, ix.,
255.

AN ORDER pass'd in the House of Representatives, Concur'd by the Council & signed by the Governour directed to the Treasurer to receive of Cpt. Seth Arnold a Bill of Credit annexed altered from three to five Pounds & give him an other Three Pounds Bill for the same. [*Passed January 5.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE EIGHTEENTH DAY OF MARCH, A.D. 1712.

CHAPTER 143.

ORDER ESTABLISHING A NEW TOWN RAISED NAMED LEXINGTON.
[*Passed March 20.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
258.

CHAPTER 144.

VOTE APPOINTING A COMMITTEE IN REGARD TO PROPOSALS FOR A
BRIDGE OVER CHARLES RIVER.

UPON READING a Representation & Proposals by John Clark Esq^r & Company referring to a Bridge over Charles River,

The Council declare they are ready to promote the Obtainment of so beneficial a Work as the Bridge projected; And judge the best Method to bring it to pass is for private Gentlemen to undertake & Carry on the same, & for their Encouragement that a Toll be forthwith granted & sett by Act of the General Assembly such as shall be judged reasonable to be paid for Man Horse & other Beasts Carts Carriages & Coaches;

Legislative
Records of the
Council, ix.,
259.

SAVING to the College their Interest & Revenue of the Ferry there to be duly paid from Time to Time with the Advance of Forty Shillings per Annum thereto for the Term of Fifteen Years next after the Erecting the said Bridge, without any Advance or Increase after the End of the first fifteen Years

And that in Case the Projection be attempted, & fail, The River & Harbour to be put in good Condition as at present.

And that the Honourable the Lieutenant Governour the Secretary, Eliakim Hutchinson & Andrew Belcher Esq^{rs} with such Gentlemen as shall be named by the House of Representatives be a Committee to sit forthwith to receive Propositions & Projections for the Building from any that are willing to undertake it, And to make their Report thereof to the next Session of this Court

Concur'd by the Representatives & John Clark Esq^r Captain Thomas Hutchinson, Captain Samuel Phips M^r Stephen Willis & Cpt. Michael Gill joined in the Affair. [*Passed March 20.*]

CHAPTER 145.

RESOLVE IN FAVOUR OF THE REPORT OF THE COMMITTEE ON THE PROPOSALS FOR A LIGHT HOUSE.

Legislative
Records of the
Council, ix.,
260.

Ante, chap. 87.
Legislative
Records of the
Council, ix.,
252.

UPON READING the Report of the Committee appointed by this Court at their Session in January last to confer with M^r John George & his Associates upon the Subject Matter of their Petition, proposing the Erecting of a Light House and Lanthorn on some Head Land at the Entrance of the Harbour of Boston, W^{ch} Report is in the Words following; Viz,

In Obedience to the foregoing Order the Committee having mett, and received from M^r George his Proposals relating to a Light House as is afore-mentioned found it necessary to take a View of the Place most convenient for the Erecting thereof, And did therefore on the thirteenth of March Instant being attended by several of the most experienced Masters of Ships belonging to Boston & Charles town go down to the outermost Islands at the Entrance of Boston Harbour, And after our Landing on several of the said Islands and Surveying the same & Conferring with the said Masters thereon, who are unanimous in their Opinion, We report as followeth; Viz, That the South-ermost Part of the Great Brewster called Beacon Island is the most convenient Place for the Erecting a Light House; Which will be of great Use not only for the Preservation of the Lives & Estates of Persons designing for the Harbour of Boston & Charles-town but of any other Place within the Massachusetts Bay; A Method for Erecting such a Light-House & Supporting the same is contained in M^r Georges Proposals herewith delivered in, All which is subjected to such Amendments & Regulations as the Court in their Wisdom shall judge necessary.

(Sign'd)

In Behalf of the Committee W^m TAILER.

Resolved by both Houses that the Projection will be of general publick Benefit, & Service & is worthy to be encouraged; And,

Ordered that the Committee of Members of both Houses before appointed proceed to receive the Proposals & Offers of Persons that will undertake to raise & maintain the said Work And upon what Terms or Encouragement to be given by the Government in Laying a Duty of Tunnage upon Shipping, and report it. [*Passed March 20.*]

CHAPTER 146.

ORDER APPOINTING A COMMITTEE ON BERWICK PETITⁿ FOR TOWNSHIP.

[*Passed March 20.*]

Legislative
Records of the
Council, ix.,
261.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 147.

RESOLVE FOR Y^e IMPRINTING & EMITTING £.6000, IN BILLS OF CREDIT,
AND PROVIDING A FUND AS SECURITY.¹

Resolved, That the Sum of Two Thousand Six hundred and Twenty Three pounds Sixteen Shillings and Six pence of Bills of Publick Credit on this Province, be further and forthwith made by the Committee last Appointed to make Such Bills & upon the Same Plates with the Bills last made who Shall be paid for their making them in the Same proportion as for the Last they made, That they Deliver the said Bills to the Treasurer taking his receipt for them.

Legislative
Records of the
Council, ix.,
262. Mass.
Archives, ci.,
413.

Ante, chap. 91.

And the Treasurer is hereby directed & impowered to Issue forth & Emit the said Sum of Two Thousand six Hundred twenty three Pounds sixteen Shillings & six Pence :

And the Sum of One Thousand three Hundred seventy six Pounds three Shillings & six Pence being part of the Bills made to be lent to such as should supply General Hill & Admiral Walker for the late Expedition against Canada that are not borrowed & issued forth for that End ; And the further Sum of Two Thousand Pounds of the Bills of Publick Credit that are or shall be received into the Treasury towards Payment of the Publick Debts of the Province already contracted, and the further growing Charge for the Defence thereof for the Supplying & Subsisting of the Forts Garrison and Forces raised & to be raised & employed within the same & Wages arising for their Service, For Payment of Grants Sallaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made upon him by Warrant or Order from the Govern^r by & with the Advice & Consent of the Council ; And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money, and shall be taken & accepted in all publick Payments at the Advance and after the Rate of Five Pounds per Cent more :

And that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in of the said Bills to the Treasury again, so far as that will reach ;

And as a further Fund & Security for the same, for the Paying of Soldiers Wages & for Defraying the further necessary growing Charge of y^e Province the Defence of her Majesties Subjects & Interests within the same and Support of the Governm^t thereof, There be and hereby is Granted unto her most Excellent Majesty to the Ends & Uses afore said a Tax of Six Thousand Pounds to be levied upon Polls & Estates both real & personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same, as shall be Agreed on and Ordered by the Great & General Court or Assembly of this Province at their Session in May One Thousand, seven Hundred & eighteen, to be paid into the Treasurer on or before the last Day of November next after. [*Passed March 21.*]

¹ Printed in the notes to the Acts of the year 1712–13, Province Laws, i., 707 ; reprinted here, as important.

CHAPTER 148.

RESOLVE DIRECTING A LOAN OF £.450, TO THE TOWN OF BOSTON FOR THE USE OF Y^E TOWN HOUSE &c.

Legislative
Records of the
Council, ix.,
263.

Ante, chap. 115.
Records of
Boston's
Selectmen,
1701-15, pp. 179,
180.

UPON READING a Representation of the Select Men of the Town of Boston, that there is yet wanting of the Towns Proportion towards the Finishing of the Town House or Edifice now in Building there the Sum of Four Hundred & fifty Pounds which is granted by the Town to be raised for that Service, W^{ch} can not be collected & gathered in soon enough for Carrying on & finishing the said Work in Season, Praying the Loan of the afore said Sum in Bills out of the Province Treasury to be applied for that Use;

Resolved that the Treasurer be directed to supply the Treasurer of the Town of Boston with the Sum of Four Hundred and fifty Pounds in the Publick Bills of Credit for the Use above expressed, Taking good & sufficient Security for the Repaying the said Sum into the Treasury again on or before the twentieth Day of February next. [*Passed March 21.*]

CHAPTER 149.

PROCLAMATION FOR A PUBLICK FAST.

Legislative
Records of the
Council, ix.,
263.

Ante, chap. 92.
Legislative
Records of the
Council, ix.,
259.

A PROCLAMATION drawn up for a Publick Fast to be observed throughout this Province upon Thursday the sixteenth of April next, was read, Advised to & signed by the Govern^r. [*Passed March 21.*]

CHAPTER 150.

RESOLVE ALLOWING BANISTERS PETITION FOR AN APPEAL FROM A JUDGMENT.

Legislative
Records of the
Council, ix.,
264.

UPON READING a Petition of Thomas Banister of Boston Merch^t Praying Relief for that at a late Inferiour Court of Common Pleas held at Boston for & within the County of Suffolk a Judgement was entered up by Default against the Goods & Effects of Jeremiah Garvan Merchant in Fayal in the Hands of the Petitioner as Factor for the said Garvan at the Suit of Moses Bow, the Petitioner being summoned to appear & answer to the said Suit, agreeable to the Act entituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent or absconding Debtors, From which Judgement the Petitioner asked an Appeal, but was denied the same, And at an After-Inferiour Court upon a Writ of Scire facias, Judgement was entered up against the Petitioner to satisfy the Sum recovered by the Principal Judgement as of his own proper Debt, W^{ch} will be to his Loss as he alledgeth several Hundred Pounds:

The Law allowing an Appeal generally in all Cases upon Judgements given in the Inferiour Court, And it appearing that the Petitioner demanded an Appeal sitting the Court within the Time limited by Law;

Resolved that the Challenge of the Appeal ought to have been received, And that he be now admitted thereto & have the Benefit of the Law in that Respect to be heard before the next Superiour Court

of Judicature to sit in Boston: And that the Judgement of the Inferiour Court upon the Scire facias and the Appeal depending thereon are hereby superseded. [*Passed March 24.*]

CHAPTER 151.

ORDER ACCEPTING REPORT ON THE COMMISSARY GEN^{LLS} ACC^{TS}.

THE FOLLOWING REPORT of a Committee of the Representatives upon the Accompts of Andrew Belcher Esq^r Commissary General, And the Order pass'd thereon in that House, Read & Concur'd: Viz,

We the Subscribers appointed a Committee by the House of Representatives to Examine & Audit the Accompts of Andrew Belcher Esq^r Commissary General, Have attended that Service & examined his Accompts from the eleventh Day of September 1712, to the ninth Day of March next after, And find them right cast & well avouched, And that on the said ninth Day of March there was due from the Province to the said Commissary Gen^{ll} the Sum of Four Hundred & four Pounds five Shillings & six Pence as was reported by the Committee of the hon^{ble} Council, that audited the said Accompt.

(Sign'd)	THO: FITCH	W ^M BOWDITCH	} Comm ^{tee}
	THO: HUTCHINSON	NATH ^{LL} THOMAS	
	SAM ^{LL} APPLETON		

Ordered that the above Report be accepted & the Commissary discharged accordingly. [*Passed March 24.*]

CHAPTER 152.

ORD^R ENFORCED ON WATERTOWN AS TO THE SUPPORT OF Y^E MINISTRY. [*Passed March 25.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
266.

Ante, chap. 135.

CHAPTER 153.

ORD^R ABOUT DUXBORÔ ARREARS.

IN ANSWER to the Petition of the Select Men of the Town of Duxborô for Arrears of Rates & Town Charges due from the Inhabitants of the said Town of Duxborô now of Pembroke;

Legislative
Records of the
Council, ix.,
266.

WHEREAS the said Inhabitants of Duxborough that were by an Act of the General Assembly Anno 1711, sett off with others of Marshfield &c to be a Township by the Name of Pembroke with Proviso in the said Act that the said Inhabitants so sett off should respectively pay their Arrears to Town Charges in the said several Towns of Duxborô & Marshfield to the Time of their being so sett off

And WHEREAS the said Inhabitants of Duxborô now Pembroke have not complied with the said Proviso in Paying their Arrears in Town Charges in several Articles to the Town of Duxborough althô demanded; And the Law of this Province for Suing of Towns not having made full

Provision in this Case (the Town of Pembroke consisting partly of Duxborô & partly of Marshfield &c not being Delinquents & so not liable to any Process in Law), For the Recovering therefore the just & due Arrears afore said;

Be it Ordered that the Residue of Thirty two Pounds one Shilling & three Pence assessed upon the said late Inhabitants of Duxborô Anno 1710, to have been collected by Abraham Booth And he having collected but Ten Pounds nineteen Shillings & six Pence of the said Sum pretending Scruple of Conscience, And afterwards John Bonny now of said Town of Pembroke at the Desire of the said Town of Duxborô Accepting of that Office of Finishing the Collecting of the said Assessment having Collected a further small Part thereof without any certain Account thereof, That the said John Bony forthwith demand of the said Booth the list of that Rate Bill & Collect the said Arrears & Residue due thereon And Pay the same unto the Town Treas^r of Duxborô

And for the Arrears of the said Duxborô Town Charges due from the said late Inhabitants of Duxborô, & such as enjoy their Real Estates, for such Real Estates not heretofore assess'd;

Ordered that their Proportion be assessed collected & paid in to the Town Treasurer of Duxborô by a Collector chosen by the said Town of Pembroke for that End by the last of July next.

And for the Arrears mentioned in the said Petition due to the Executors of the Reverend M^r Ichabod Wiswall, the Accompt thereof not being laid before the General Assembly,

Ordered that that Matter be suspended for further Consideration.
[*Passed March 25.*]

CHAPTER 154.

VOTE ACCEPTING THE COMM^{TEES} REPORT OF Y^E LINE FOR A PRECINCT ON ROYAL SIDE IN SALEM. [*Passed March 25.*]

Legislative
Records of the
Council, ix.,
268.

Ante, chap. 141.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 155.

RESOLVE ALLOWING £.426 ¹¹/₁₀₀ 4, TO THE COLLEGE.

Legislative
Records of the
Council, ix.,
269.

Resolved that the Sum of Four Hundred twenty six Pounds ten Shillings and four Pence be allowed & paid out of the Publick Treasury in Bills of Publick Credit to Thomas Brattle Esq^r Treasurer of Harvard College, for the Use of the said College; One Hundred sixty two Pounds sixteen Shillings & four Pence thereof being the whole Principal remaining due of Moneys borrowed by the late Colony of the Massachusetts Bay of the said College, both that which was the Lady Moulsons Gift to the said College & all other; the Remaining Two Hundred sixty three Pounds fourteen Shillings being Interest in full for the said Sum at six Pounds per Cent. per Annum from the Year One Thousand six Hundred & eighty five to this Time, to which Year the Interest appears to have been paid by the Treasury Books of the said Colony. [*Passed March 26.*]

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1713-14.

LEGISLATIVE LIST¹

FOR

1713-14.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM TAILER	}	JOHN APPLETON	}
ELISHA HUTCHINSON		JOHN HIGGINSON	
WILLIAM BROWN		SAMUEL PATRIDGE	
SAMUEL SEWALL		EDWARD BROMFIELD	
ISAAC ADDINGTON		EPHRAIM HUNT	
JOHN PHILLIPS		NATHANIEL NORDEN	
JONATHAN CORWIN		DANIEL EPES	
PETER SERGEANT		THOMAS NOYES	
PENN TOWNSEND		BENJAMIN LYNDE	
ESQRS.		ESQRS.	

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW	} ESQRS.	JOHN CUSHING	} ESQRS.
NATHANIEL PAYNE		JOHN OTIS	

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Maine;

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ICHABOD PLAISTED, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, ESQ.

For the Province, at large:—

ANDREW BELCHER & SAMUEL APPLETON, ESQRS.

¹ See Legislative Records of the Council, ix., 271-273.

REPRESENTATIVES OR DEPUTIES.

May 27, 1713 to April 6, 1713–14.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clarke, Esq.,
 Addington Davenport, Esq.,
 Capt. Thomas Hutchinson,
 Major Thomas Fitch.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestill Clap.
Milton, . . . Mr. Ephraim Tucker.
Weymouth, . . . Capt. Stephen French.
Brantrey, . . . Edmund Quincey, Esq.
Dedham, . . . Capt. Daniel Fisher.
Medfield, . . . Capt. Samuel Barber.
Mendon, . . . Mr. Josiah Chapin.
Wrentham, . . . Mr. John Gilde.
Brooklyn, . . . Mr. Josiah Winchester.

COUNTY OF ESSEX.

Salem, . . . Capt. John Browne,
 Mr. Francis Willoughby.
Ipswich, . . . Samuel Appleton, Esq.
Newbury, . . . Capt. Thomas Hall.
Salisbury, . . . Mr. Isaac Morrell.
Amesbury, . . . Capt. Thomas Harvey.
Haverhill, . . . Mr. John White.
Andover, . . . Capt. Benjamin Stevens.
Bradford, . . . Mr. John Hutchins.
Topsfield, . . . Mr. Jacob Brown.
Marblehead, . . . Capt. Richard Trevott.
Lynn, . . . John Burrill, Esq.
Wenham, . . . Mr. William Fiske.
Beverly, . . . Mr. Samuel Baleh.
Glocester, . . . Mr. James Parsons.
Rowley, . . . Mr. Ezekiel Jewett.
Boxford, . . . Capt. John Peabody.

COUNTY OF MIDDLESEX.

Cambridge, . . . Capt. Thomas Oliver.
Charlestown, . . . Capt. Michael Gill,
 Capt. William Rowse.
Watertown, . . . Mr. Caleb Church.
Woburn, . . . Mr. John Pierce.
Billerica, . . . Mr. John Stearnes.
Chelmsford, . . . Mr. Stephen Pierce.
Concord, . . . Capt. Jonathan Prescott.
Sudbury, . . . Mr. Matthew Stone.
Reading, . . . Mr. Thomas Wiley.
Marlborough, . . . Capt. Thomas How.
Malden, . . . Mr. John Greenland.

COUNTY OF MIDDLESEX — *Concluded.*

Sherburn, . . . Mr. Samuel Bullard.
Framingham, . . . Major Joseph Buckminster.
Weston, . . . Capt. Francis Fulham.
Newtown, . . . Mr. John Ward.
Groton, . . . Mr. John Farnsworth.

COUNTY OF HAMPSHIRE.

Springfield, . . . Luke Hitchcock, Esq.
Northampton, . . . Joseph Parsons, Esq.
Hadley, . . . Mr. Samuel Porter.
Hatfield, . . . Mr. Henry Dwight.
Suffield, . . . Mr. Atherton Mather.
Westfield, . . . Mr. John Ashley.
Enfield, . . . Mr. Samuel Terrey.

COUNTY OF PLIMOUTH.

Plimouth, . . . Mr. Isaac Lothrop.
Scituate, . . . Joseph Otis, Esq.
Marshfield, . . . Mr. Jonathan Eames.
Duxboró, . . . Capt. John Alden.
Bridgewater, . . . Mr. Samuel Edson.

COUNTY OF BARNSTABLE.

Barnstable, . . . Mr. Daniel Parker.
Yarmouth, . . . Mr. Joseph Hawse.
Eastham, . . . Mr. John Payne.
Sandwich, . . . Mr. Meletiah Bourne.
Harwich, . . . Mr. Thomas Clark.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Simon Davis.
Taunton, . . . Capt. Henry Hodges.
Dartmouth, . . . Mr. Jonathan Delano.
Rehoboth, . . . Mr. Moses Reed.
Swansey, . . . Mr. Ephraim Pierce.
Little Compton, . . . Capt. William Southworth.
Tiverton, . . . Mr. Phillip Taber.
Attleboró, . . . Mr. David Freeman.
Dighton, . . . Mr. Benjamin Jones.

COUNTY OF YORK.

York, . . . Mr. Abraham Prebble.
Wells, . . . Mr. Joseph Storer.
Kittery, . . . Mr. Joseph Hammond.

DUKES COUNTY.¹

NANTUCKET.

Mr. Ebenezer Coffin.

¹ No representative for this county appears in the record.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SEVENTH DAY OF MAY, A.D. 1713.

CHAPTER 1.

VOTE ACCEPTING THE COMMITTEES REPORT FOR A PLACE ON PATUCKET
RIVER FOR A BRIDGE.

REPORT of the Committee to enquire of the most convenient Place
for Setting up a Bridge over Pautuckett River; Viz,

WE the Subscribers being the Major Part of a Committee appointed
by the Great and General Court at their Sessions in March last to En-
quire & make Report where might be the best Place to Erect a Bridge
over that River called Pautuckett River, And what Advantage and Ben-
efit it will be when Erected for Travelling & Commerce

In Pursuance of said Order on the fifteenth Instant May, We mett
at said River, and after Taking a View of all the Places that were
thought the most proper to Erect said Bridge, And by the Informa-
tion we had from several Persons well knowing the said River;

We are humbly of Opinion that a Place called Pautucket Falls near
the Iron Works on said River is the most suitable Place to erect said
Bridge, And when built may be of Benefit to some Parts of this Prov-
ince, Especially it will be of Service for Travelling into the Narraganset
Country, Connecticutt, & New York at all Times of the Year, particu-
larly in the Winter Season, When by Reason of the Rising of the Water
& great Quantity of Ice coming down the River it is made very difficult
& hazzardous, Which if there be a Bridge will make Travelling more
easy & safe.

ISAAC WINSLOW

JOSEPH BROWN

NATH^{LL} PAYNE

NOAH PECK

SAM^{LL} THAXTER

Read & Accepted as to the Place of y^e Bridge How the Charge is
to be born to be further consider'd.

And an Accompt of the Comm^{tees} Service & Expences amounting to
six Pounds twelve Shillings & seven Pence allowed by both Houses
to be paid, Viz, Fifteen Shillings a Piece to the five Gentlemen of
the Comm^{tee} for their Travel and Service & the Remainder for their
Expences. [*Passed May 29.*]

CHAPTER 2.

VOTE ACCEPTING THE COMMITTEES REPORT ABOUT COUNTRY LANDS
BETWEEN REHOBOTH AND TAUNTON. [*Passed May 29.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
275.

Post, chap. 3.

CHAPTER 3.

Legislative
Records of the
Council, ix.,
277.

Ante, chap. 2.
Mass.
Archives,
cxxii., 427.
Executive
Records of the
Council, vi., 55.

VOTE ALLOWING THE ACCOUNT OF THE COMMITTEE FOR SERVICES ABOUT COUNTRY LANDS NEAR TAUNTON.

AND AN ACCOMPT of the Committees Service & Expences amounting to seven Pounds eleven Shillings was presented & allowed, And directed that fifteen Shillings a Piece be paid to the Committee for their Travel & Service & the Remainder for their Expences. [*Passed * May 29.*]

CHAPTER 4.

ORDER APPOINTING A COMMITTEE ON SAM^L STEVENS'S PETITION.

Legislative
Records of the
Council, ix.,
277.

Post, chap. 155.

UPON READING a Petition of Samuel Stevens Son & surviving Executor of the last Will & Testament of James Stevens late of Gloucester in the County of Essex Deceased, Praying to be impowered to make Sale of a Part of the Real Estate directed by him in his Will for the Support of Susanna his Widow being run to Despair & Bringing in little or no Income;

Ordered that John Newman Esq^r & M^r James Parsons of Gloucester be a Committee to enquire into the Truth of the Matter sett forth in the within Petition & what Part of the Estate may best be sold with least Prejudice to the Remainder, And to report y^e same. [*Passed May 30.*]

CHAPTER 5.

ORD^B REFERRING TO MEDFIELD. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
278.

Post, chap. 93.

Legislative
Records of the
Council, ix.,
275, 276.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 6.

ORDER APPOINTING A COMMITTEE ON WESTFIELD PETITION. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
278.

Post, chap. 167.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 7.

ORDER APPOINTING COMMISS^{RS} FOR THE LINE ON CONNECTICUT. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
280.

Post, chap. 8.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 8.

VOTE ACCEPTING THE COMMITTEES REPORT OF YE LINE FROM ANGLE TREE TO ACCORD POND. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
280. Mass.
Archives, iii.,
132.

Ante, chap. 7.
Post, chap. 29.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 9.

ORD^R FOR DIGHTON PAYM^T OF ARREARS TO TAUNTON.

Ordered that the Assessors of the Town of Dighton be impowered & enjoyned forthwith to assess on the Inhabitants of their Town the Sum of Nineteen Pounds one Shilling & eleven Pence & to order Collecting & Paying in the same to the Treasurer of Taunton for the Use of the said Town on or before the first Day of August next ensuing in full of their Share of the Judgem^t recovered for Arrears due to M^r George Shove some Time Minister of Taunton, when they were Part thereof. [*Passed June 3.*]

Legislative
Records of the
Council, ix.,
281.

CHAPTER 10.

RESOLVE REMITTING DUTY OF WINES ON THE BRIGANTINE MAYFLOWER.

UPON THE PETITION of Simon Davis &c Owners of the Brigantine May Flower John Ellery Commander;

Legislative
Records of the
Council, ix.,
282.

Resolved that the Duty of Thirty eight Pipes of Wine brought in the said Vessel to Boston & afterwards transported to Rhoad Island be remitted to the Petitioners. [*Passed June 3.*]

CHAPTER 11.

VOTE ACCEPTING THE COMMITTEE'S REPORT ON THE LINE BETWEEN FREETOWN & TIVERTON. [*Passed June 3.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
282.

CHAPTER 12.

ORDER APPOINTING COMMISSIONERS TO AGREE WTH THE COMMISS^{RS} OF NEW HAMPSHIRE ABOUT Y^E BORDERERS ON THE LINE. [*Passed June 3.*]

Legislative
Records of the
Council, ix.,
283.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Provincial
Papers, New
Hampshire,
iii., Part ii.,
548-549.

CHAPTER 13.

VOTE GRANTING JN^O CLARK ESQ^{RS} PETITION & PROPOSALS.

Legislative
Records of the
Council, ix.,
283.

UPON READING a Petition of John Clark of Boston Esq^r Proposing & Offering that in Lieu of a Ware house by him proposed and intended to be built upon the Wharff by him to be built before his Land on the Easterly Side of Fish-Street in Boston, As an Equivalent for Taking off the Entail & Vesting the Fee Simple of Part of the said Land in him & his Heirs, Pursuant to an Act of the General Assembly in the Year 1712: He will at his own Cost erect build & finish a certain Tene-ment or Tenements with Shops therein & good Cellars under the same, to contain Forty feet in Length & eighteen feet in Wedth fronting to Middle street which will be more certain to be improved & produce a better annual Income for the Benefit of the Heirs in Tail than the intended Ware house will do; Praying that the said Offer & Proposal may be accordingly accepted, Any Thing in the afore mentioned Act to the Contrary notwithstanding, His Brother William Clark the next Heir in Tail having subscribed the Petition with him;

Voted That the Prayer of the Petition be granted. [*Passed June 3.*]

CHAPTER 14.

VOTE ALLOWING SAM^{LL} WHITING £.10.

Legislative
Records of the
Council, ix.,
284.

UPON READING a Petition of Samuel Whiting of Dunstable taken Cap-tive & Carried to Canada, Praying some Consideration and Allowance for his great Suffering & Charge occasioned by Sickness, being still under the Doctors Hands & incapable of Labour:

Voted, In Consideration of the Petitioners being obliged by Law to continue in a Frontier Town and of his great Indisposition of Body he has contracted by Reason of his being taken;

That the Sum of Ten Pounds be allowed & paid him out of the pub-lick Treasury. [*Passed June 4.*]

CHAPTER 15.

ORDER SUSPENDING THE OPENING OF FREETOWN UPPER ROAD.

Legislative
Records of the
Council, ix.,
285.

UPON Y^E REPRESENTATION of sundry of the Proprietors of Freetown within the County of Bristol of the Inutility of the Upper Road or High Way projected to be laid out through the Southern Part of Freetown from the Fall River to Thomas Kings House running thro^o several Proprietys, W^{ch} Way is not yet opened, & the great Charge & Damage that will be occasioned to the Town by Opening the same the Town being now established upon the lower Road;

Ordered that there be a Suspension of Opening the said Upper Road untill the Session of this Court in the Fall of the Year, And that then an Order pass for the Taking it wholly away unless sufficient Reasons be then offered to the Contrary. [*Passed June 4.*]

CHAPTER 16.

VOTE ON NEWTOWN INHAB^{TS} PETITION AS TO CERTAIN FAMILIES NEAR
THE ROXBURY LINE.

UPON A FULL HEARING of the several Petitions from Newtown referring to the Division of the Town into two several Precincts for the Worship of God or the Removal of the present Meeting House towards the Center of the Town and particularly in Dismission of the six Families lying next to the South Part of Roxbury;

Voted & Advised that the Town do allow the said six Families lying next to Roxbury to attend the Worship of God at that Precinct & be accordingly dismiss from any Charge to the Support of the Ministry in Newtown during their Attendance & Contributing to the Ministry at Roxbury; But see no Reason to remove the present Meeting House in Newtown, And direct that the Inhab^{ts} of the said Town proceed peaceably to settle & establish a learned & orthodox Minister of good Conversation amongst them, As the Law directs. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
286.
Post, chap. 166.

CHAPTER 17.

ORDER ON THE PETITION OF MATT. & PAYNE MAHEW FOR LIBERTY
TO BRING A NEW SUIT ON A CAUSE DECIDED AGAINST THEM IN A
FORMER ACTION.

IN THE CASE of Matthew & Payne Mahew Administ^{rs} of the Estate of Matthew Mahew late of Edgar Town in Dukes County Esq^r Deceased & before this Court by their Petition Setting forth that in a Suit by them brought in the Inferiour Court of Common Pleas holden for Dukes County in October last past they recovered Judgem^t against Ralph Thacher jun^r for Forty Acres of Land &c, And the Cause being removed by Appeal of the said Ralph Thacher to the Sup^r Court of Judicature holden at Plimouth the last Tuesday in March last past, The Judgem^t of the Inf^r Court was then reversed for that Matthew Mahew one of the Petitioners was Clerk of the s^d Inf^r Court appealed from, So that no Writt Judgem^t or Evidences in the Cause were not¹ well certified to the Sup^r Court.

Ordered that the Plaintiffs be allowed to bring forward their Suit de Novo at the Inferiour Court in Dukes County, And that the Justices of the said Court appoint a Clerk specially to officiate in that Cause, And to Certify the Record & Process thereof to the Superiour Court in Case of Appeal, The Costs hitherto sustained to attend & be ruled by the final Issue & Determination of the Cause, And that Execution for the past Costs (if any be) be stayed until then. [*Passed June 5.*]

Legislative
Records of the
Council, ix.,
286.

CHAPTER 18.

ORD^R FOR SUPPORT OF A MINISTER AT PALMERS RIVER IN REHOBOTH.

Ordered that the Vote pass'd by this Court at their Sessions in May 1712. Advising & Directing the Inhabitants of the Town of Rehoboth to raise the Sum of One Hundred & twenty Pounds annually for the

Legislative
Records of the
Council, ix.,
287.

¹ *Sic*, but inserted above the line, with caret.

Support of the Ministry That is to say, Seventy Pounds thereof to be issued & paid to the Minister of the first Church & Congregation in the Body of the Town, And the other Fifty Pounds to the Minister of the Congregation at Palmers River, Be Revived, Enforced & take Effect, having been twice respited at the Motion of the Representative of the said Town for the Towns Consideration to agree upon & propose some other Method for the Support of two Ministers in the said two Parts of the Town & report the same to the Court, The last Reference being to this Session, And the Representative for y^e said Town not being instructed about that Affair as he informs this Court. [*Passed June 6.*]

CHAPTER 19.

VOTE MAKING ADDITIONS TO THE BROOKFIELD COMM^{TREE}. [*Passed June 6.*]

Legislative
Records of the
Council, ix.,
288.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 20.

VOTE ALLOWING RUTH CHILD £.4,, 12,, 4.

Legislative
Records of the
Council, ix.,
288.

UPON READING the Petition of Ruth Child of Watertown Widow, Praying an Allowance for the Sickness & Funeral Charges of her late Husband Joseph Child a Soldier in her Majesties Service in the designed Expedition against Canada in the Year 1711: Who came Home sick from off the said Voyage, of w^{ch} Sickness he died;

Voted That the Sum of Four Pounds twelve Shillings & four Pence be allowed & paid out of the Publick Treasury to Ruth Child the Petitioner in full of her Accompt, And fifteen Shillings & six Pence to M^r Palsgrave Willington for Medicines and Attendance. [*Passed June 6.*]

CHAPTER 21.

VOTE ALLOWING HUGH PIKE A PENSION & £5.

Legislative
Records of the
Council, ix.,
288.

UPON READING a Petition of Hugh Pike of Newbury Praying a Stipend or Pension may be granted him in Consideration of his Disability for Labour by Reason of a Wound received in his Thigh whilst in her Majesties Service,

Voted That the Sum of Five Pounds be allowed & paid out of the Publick Treasury to Hugh Pike the Petitioner for a present Relief, And five Pounds per Annum for the Future, untill this Court shall order otherwise. [*Passed June 6.*]

CHAPTER 22.

VOTE MAKING AN ADDITIONAL LAND GRANT TO LANCASTER. [*Passed June 8.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
285. Mass.
Archives,
cxlii., 634.
Mass.
Archives,
cxlii., 633.

CHAPTER 23.

RESOLVE DECLARING TUCKANNUCK TO BE SUBJECT TO NANTUCKET. [*Passed June 8.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
289. .
Legislative
Records of the
Council, ix.,
286.

CHAPTER 24.

VOTE ALLOWING BARNSTABLE CO. TREAS^{RS} ACC^O.

AN ACCOMPT presented by Barnabas Lothrop Esq^r late Treas^r for the County of Barnstable of a County Rate ordered in the Year 1712: amounting to One Hundred & fifty Pounds, & his Payments made thereout, amounting to Sixty seven Pounds six Shillings & nine Pence Allow'd by y^e House of repres^{ves} Read & Concurred. [*Passed June 8.*]

Legislative
Records of the
Council, ix.,
289.

CHAPTER 25.

ORD^R FOR THE RATE OF VICTUALLING CASTLE WM.

REPORT of the Committee referring to the Victualling the Garrison at Castle William; Read & Accepted, & Concur'd by the Repres^{ves} Viz,

Pursuant to the Order of Court the Committee have considered the Petition of Cpt. Tuthill referring to the Victualling the Garrison at Castle William, Are humbly of Opinion that Four Shillings & six Pence farthing be allowed for each Man per Week during the Space of six Months, to Cominence from the first Day of May last

By Order of the Comm^{tee} (sign'd) SAM^{LL} SEWALL
[*Passed June 8.*]

Legislative
Records of the
Council, ix.,
289.
Post, chap. 94.

CHAPTER 26.

VOTE IMPOWERING ELIZABETH SAVAGE TO SELL LAND.

UPON READING a Petition of Cpt. Ephraim Savage and Elisabeth his Wife late Butler, Relict & Sole Executrix of the last Will of Peter Butler late of Boston Mariner Deceased and of the Children of the said Peter Butler Setting forth that the said Peter Butler in & by his

Legislative
Records of the
Council, ix.,
289.

last Will devised his Estate consisting chiefly of a Dwelling House, Warehouse & Wharf at the Bottom of King Street in Boston to be divided into seven Parts among his six Children, his Eldest Son to have a double Portion, W^{ch} Estate is running to Despair & fallen to Decay three of the Children being Minors within Age & desirous to sell their Interest to their Eldest Brother Peter, W^{ch} they are well advised will be to their Advantage, Praying that the afore-named Executrix may be Enabled to sell the same on their Behalf :

Ordered that the Prayer of the Petition be granted and that the Executrix be impowered to make Sale of the Estate therein mentioned & execute a Deed thereof, the Minors Parts or Shares of the Produce of the Sale to be secured for them till they come of Age, with lawful Interest to be paid for the same Yearly towards their Education in the Interim ; The Land to be sold to stand charged wth the Payment of the Principal & Interest Money accordingly. [*Passed June 8.*]

CHAPTER 27.

RESOLVE ALLOWING FALMOUTH £40, TOWNS A MEETING HOUSE.

Legislative
Records of the
Council, ix.,
290.

Resolved that the Sum of Forty Pounds be allowed & paid out of the publick Treasury to the Town of Falmouth towards the Building them a Meeting House for the Publick Worship one Half thereof to be paid when the Frame is raised, And the other Half when the House is finished. [*Passed June 8.*]

CHAPTER 28.

ORDER APPOINTING A COMMITTEE TO SORT & NUMBER Y^E UNSERVICEABLE BILLS.

Legislative
Records of the
Council, ix.,
290.

Post, chap. 33.
Executive
Records of the
Council, vi., 34.

Ordered that John Clark Esq^r Major Thomas Fitch, M^r Meletiah Bourne, M^r Francis Willoughby & M^r Jeremiah Allen be a Committee to join with such as the Hon^{ble} Board shall appoint to Examine Count & Bundle up the unserviceable Bills of Credit in the Treasury & make Report to this Court in Order to their being burnt.

And Eliakim Hutchinson Penn Townsend & Edw^d Bromfield Esq^{rs} joined of the Comm^{tee} for the Affair afore said. [*Passed June 8.*]

CHAPTER 29.

VOTE ACCEPTING THE ACCOMPT OF SAM^{LL} PATRIDGE &c COMMISSIONERS ON THE SOUTH LINE.

Legislative
Records of the
Council, ix.,
291.

Ante, chap. 8.
Post, chap. 81.
Sewall's
Diary, ii., 389.

AN ACCOMPT of Expences & Time of Samuel Patridge, Samuel Porter & John Chandler Esq^{rs} &c. Commissioners on the Part of this Government with Commissioners from the Colony of Connecticut for Surveying the Line betwixt the said two Governments in April past amounting to Twenty four Pounds one Shilling & nine Pence ; Read & Accepted ; And Concurred by the Representatives. [*Passed June 9.*]

CHAPTER 30.

ORD^R UPON SAM^LL FOWLES ESTATE.

UPON A HEARING had before the Court on the Petition & Complaint of James Fowle &c for the Reversing an Order of this Court at their Session in October 1712; for the Sale of their Brother Samⁿ Fowles Land.

Legislative
Records of the
Council, ix.,
291.

Resolved that the Order of this Court for the Sale of Samuel Fowles Land be superseded & made void and that Administration in Behalf of the Orphans be granted on that Estate, That the Creditors may know of whom to demand their just Debts, And if need be to make Sale of his *said* Lands for Payment of his just Debts, proper Application be made for the same. [*Passed June 9.*]

CHAPTER 31.

VOTE ACCEPTING THE WATERTOWN AGREEM^T FOR THE SUPPORT OF
Y^E MINISTRY. [*Passed June 9.*]

Legislative
Records of the
Council, ix.,
291.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
275, 280.

CHAPTER 32.

VOTE ESTABLISHING BERWICK A TOWN. [*Passed June 9.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
292.

CHAPTER 33.

VOTE ACCEPTING REPORT OF THE COMMITTEE ON ACC^O OF UNSERVICE-
ABLE BILLS.

IN OBSERVANCE of an Order of the Gen^l Court dated the Eighth Curr^t to us directed empowering us a Committee to sort & take an Account of the Bills of Credit on this Province lying in the Treasury that are worn out defaced & unserviceable: We have attended said Service, sorted, numbered & made up the said Bills in distinct Bundles containing in Number, Sorts & Quantity on the foregoing Side expressed amounting in the Whole to the Sum of seventeen Thousand seven Hundred & nine Pounds Eight Shillings.

Legislative
Records of the
Council, ix.,
293.

Ante, chap. 28.
Post, chap. 33.
Legislative
Records of the
Council, ix.,
293.

THO FITCH	JOHN CLARK	} Comm ^{tee}
MEL. BOURNE ✓	EL ^m HUTCHINSON	
FRA. WILLOUGHEY	PENN TOWNSEND	
JER. ALLEN	EDW ^d BROMFIELD	

Read & Accepted &

Ordered that the same Comm^{tee} forthwith see the s^d Bills burnt.
[*Passed June 10.*]

CHAPTER 34.

ORDER GRANTING BROOKLIN PETITION FOR FURTHER TIME.

Legislative
Records of the
Council, ix.,
294.

Post, chap. 132.

UPON READING a Petition of Brooklin, Praying a further Respite & Extent of Time to build their Meeting House & procure a Minister;

Concurred with the *Order* pass'd thereon in the House of Representatives That the Prayer of the Petition be granted with this strict Injunction that the Town be provided of a convenient Meeting House & of a learned orthodox Minister & of good Conversation by the End of the said three Years. [*Passed June 10.*]

CHAPTER 35.

VOTE GRANTING A CONTINUANCE OF A LOAN TO THO: FITCH &c.

Legislative
Records of the
Council, ix.,
294.

Post, chap. 44.

UPON READING a Petition of Thomas Fitch, Oliver Noyes, Charles Chambers, Nath^l Carey, & Sam^l Greenwood a Committee to assist the Forwarding the Expedition in the Year 1711. designed against Canada by Providing the necessary Stores for the same, Setting forth that they advanced & paid their own Money to the Amount of Three Thousand eight Hundred & twelve Pounds eight Shillings & seven Pence for the speedy Procuring of the same; The Accompts whereof were audited & reported by a Committee for that Purpose, & transmitted to the Right Hon^{ble} the Lord High Treasurer of Great Britain for his Lordships Direction to Cause Payment to be made of the Sum of Two Thousand seven Hundred & twenty three Pounds three Shillings & three Pence Sterling, The Whole of which Sum remains behind & unpaid & it was about Twelve Months afterwards before they were admitted to the Benefit of the Loan of this Province; Praying the Continuance of the Loan for y^e Sum by them borrowed & received of the Treas^r of this Province for one Year longer upon the same Security that was at first given for the Payment thereof;

Voted That the Prayer of the Petition be granted. [*Passed June 10.*]

CHAPTER 36.

ORDER IMPOWERING A MINISTER OR JUSTICE OF THE PEACE TO MARRY
GEORGE DEAN AND HANNAH RUCK.

Legislative
Records of the
Council, ix.,
294.

UPON READING a Petition of George Dean of Salem Praying that the Minister of the Town of Salem or any of her Majesties Justices of the Peace within the same may be impowered to marry the Petitioner & Hannah Ruck of the same Place, Who is now with Child by him & within two Months or less of her Time & he necessarily employed & bound out on a Fishing Voyage, Who can not stay to attend the Formalities required by Law:

Ordered that M^r Nicholas Noyes Minister of Salem or any of her Majesties Justices of the Peace living in Salem be impowered forthwith to marry the Petitioner & the within named Hannah, Any Law, Usage or Custom to the Contrary notwithstanding, & without attending the particular Directions of the Law. [*Passed June 10.*]

CHAPTER 37.

VOTE ALLOWING DAN^L TUCKER £.45.

UPON READING a Petition of Daniel Tucker a Soldier at the Eastw^d setting forth that upon the eighteenth Day of September last past he was sorely wounded & taken Captive by the Indian Enemy at Wells and being in Danger of Dying of his Wounds was forced to purchase his Liberty with Paym^t of thirty Pounds, Remaining still in a deplorable Condition by Reason of his Wounds & at great Expence Praying Relief :

Legislative
Records of the
Council, ix.,
295.

Executive
Records of the
Council, vi., 72.

Voted That the Sum of Forty & five Pounds be allowed & paid out of the Publick Treasury to Daniel Tucker the Petitioner. [*Passed June 11.*]

CHAPTER 38.

VOTE ALLOWING BENJ^A JOHNS £.23.

Voted That the Sum of Twenty three Pounds be allowed & paid out of the Publick Treasury to Benjamin Johns in full of his Account for the Use the Assembly made of his House from Oct. 6. 1712: to May 25. 1713. And for Fire Wood & Candles. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
295.

CHAPTER 39.

RESOLVE DISCHARGING THE TREASURER OF £.17709 ¹¹/₈, IN BILLS OF CREDIT BURNED.

IN OBEDIENCE to the Order of Court of June the 10th We the Subscribers have opened the Chest containing the Bills made up by us the Committee amounting to the Sum of Seventeen Thousand seven Hundred & nine Pounds eight Shillings including the Advance of Eight Hundred thirty two Pounds seven Shillings & three Pence as exprest on the other Side, & have put the said Bills into a convenient Oven & caused them all to be burnt to Ashes.

Legislative
Records of the
Council, ix.,
295.

Ante, chap. 33.
Post, chap. 58.

ELIAKIM HUTCHINSON } with Consent of the Rest
PENN TOWNSEND } of the Committee.
EDW^D BROMFIELD }

Read &

Resolved that M^r James Taylour Treasurer be & hereby is discharged of his Vouchers for Seventeen Thousand four Hundred, seventy nine Pounds & thirteen Shillings, including the Sum of Eight Hundred thirty two Pounds seven Shillings & three Pence, Advance at Five per Cent. as the Bills were received into the Treasury, And for two Hundred twenty nine Pounds fifteen Shillings of Twenty Shillings Bills dated 1702. exchanged at Par for such Sum in the Twenty Shillings Bills dated 1708, imprinted & put into the Treasury for that Use, being discharged in the Whole for Seventeen Thous^d, seven Hundred & nine Pounds eight Shillings. [*Passed June 11.*]

CHAPTER 40.

ORDER CONTINUING HATFIELD HEARING. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
295.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 41.

VOTE ALLOWING JON^A PARKE £.5.

Legislative
Records of the
Council, ix.,
296.

UPON READING a Petition of Jonathan Parke a Soldier in the designed Expedition against Canada in the Year 1711. [who] was brought home sick & continued so for more than two Months at great Charges, Praying for Relief :

Voted That the Sum of Five Pounds be allowed & paid out of the Publick Treasury to Jon^A Parke the Petitioner in full of his Petition. [*Passed June 11.*]

CHAPTER 42.

VOTE ALLOWING DUNSTABLE £.10.

Legislative
Records of the
Council, ix.,
296.

Voted That the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to the Select Men of Dunstable towards y^e Maintenance of their Minister the Year Curr^t. [*Passed June 11.*]

CHAPTER 43.

VOTE GRANTING MERCY TAY'S PETITION TO MORTGAGE LAND.

Legislative
Records of the
Council, ix.,
296.

UPON READING a Petition of Mercy Tay Relict Widow of Captain Jeremiah Tay, & only Child & Heir of Nath^l Woodward late of Boston Mariner Deceased, Setting forth that Whereas Judgement was recovered in the Superiour Court holden at Boston in November 1712, at the Suit of the Children of her Aunt Mercy East for the one Moiety or Half Part of a certain Messuage or Dwelling House and Land scituate in Boston, sold by her said Husband in his Life Time and her self to Joseph Pulcifer Mariner for the Sum of Two Hundred and twenty five Pounds, whereby she is subject & can not possibly avoid making good the Damage to the Heirs or Executors of the said Pulcifer the one Half of the Purchase Money afore said, And the Petitioners said Husband leaving no Estate but what he had in her Right, Consisting only of one other Messuage or Tenement next adjoining to that sold as afore said & about the same Value, Which by her Fathers Will is in some Measure encumbered & in a Sort entailed, Praying that she may be enabled by the special Order & Power of this Court to make Sale of her said House and Land or at least to mortgage it for so much as may enable her to clear off & discharge the Recovery and Incumbrance before mentioned ;

Ordered that the Petitioner be impowered to mortgage the House & Lands within Mentioned for the Sum of One Hundred & fifteen Pounds

Any Thing in the Will of her Father notwithstanding, to Enable her to satisfy the Judgement recovered against her as within mentioned. [*Passed June 11.*]

CHAPTER 44.

ORD^R FOR CONTINUING ONE HALF OF Y^E LOAN MONEY.

UPON READING a Petition of sundry Merchants in Boston whose Names are thereunto subscribed, Setting forth that they supplied the Agents & Principal Officers of her Majesties British Land & Sea Forces designed on an Expedition for the Reduction of Canada in the Year 1711. with considerable Sums of Money on Consideration of the Loan granted by the Government in the Bills of Publick Credit by them received of the Treasurer, for which they gave their Bonds with good Security and took Bills of Exchange for their being repaid in Great Britain at the Exchange of Forty per Cent. Only two Thirds of the Value of the said Bills being yet paid; Humbly PRAYING for Favour to be shewn them by Prolonging the Time for Payment of the said Loan Money into the Treasury;

Voted That one Half of the Bills lent to the Petitioners and others on the Occasion within mentioned be called in & paid when due, And thereupon the Payment of the other Half be respited for one Year longer;

That the Committee that this Court employed to lend out the Bills and take Security for their Repayment be revived and impowered to Review and consider the Bonds & Security given for the same, And that such of the Bonds wherein any of the Obligors are dead removed out of the Province, or by adverse Providence considerably impaired in Estate be sued out when due, Unless other & further sufficient Security be given for the Remaining Half to the Satisfaction of the Committee. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
296.

Ante, chap. 35.
Post, chap. 64.

CHAPTER 45.

VOTE FOR PAYING £.55, TO HEIRS OF WILLIAM BRADFORD.

A DEED of Release & Quitt Claim executed by the Executors & Heirs of William Bradford late of Plimouth Esq^r Deceased for Lands at and about the Cape &c.

Read & ACCEPTED in both Houses, &

Voted that the Sum of Fifty five Pounds ordered by the General Assembly at their Session in March 1710, be paid for the same. [*Passed June 11.*]

Legislative
Records of the
Council, ix.,
297.

Post, chap. 51.
Mass.
Archives,
cxliii., 16.
Executive
Records of the
Council, vi., 46.

CHAPTER 46.

VOTE GRANTING ALEXANDER PLUMBLEY'S PETITION FOR REMISSION OF TAX.

UPON READING a Petition of Alexander Plumbley Constable of Mendon Setting forth that on the twenty ninth of March last, being the Lords Day, whilst he was attending the Publick Worship his House

Legislative
Records of the
Council, ix.,
297.

was burn'd down and all he had therein lost, And together therewith the Countrey Rate in his Hands, Ten Pounds laid up in his Chest & about Forty Shillings more of the said Rate in his Pocket Book as also the Rate it self & the Treasurers Warrant & his Receipt for Twenty three Pounds nine Shillings & nine Pence already paid; Praying that what he has lost of the Publick Money may be remitted him & a new Order granted him from M^r Treasurer to Enable him to gather in the Remainder;

Voted That the Prayer of the Petition be so far granted that Ten Pounds be remitted and the Petitioner enabled to gather the Remaind^r. [*Passed June 12.*]

CHAPTER 47.

VOTE ALLOWING SAM^{LL} HILL £.3¹¹ 17¹¹ 6.

Legislative
Records of the
Council, ix.,
298.

UPON READING a Petition of Sam^{ll} Hill Mariner Pilot of her Majesties Ship Kingstone of the Squadron designed on the Expedition against Canada in the Year 1711: And afterwards Pilot of one of the Transports:

Voted That the Sum of Three Pounds seventeen Shillings & six Pence be allowed & paid out of the Publick Treasury to Samuel Hill the Petitioner for the Months Time before he return'd Home after he was discharged from the Kingstone. [*Passed June 12.*]

CHAPTER 48.

VOTE ALLOWING BRISTOL CO. TREAS^{RS} ACC^O.

Legislative
Records of the
Council, ix.,
298.

AN ACCOMPT presented by Nath^{ll} Payne Esq^r Treasurer of the County of Bristol of a Countrey Rate ordered in the Year 1711: the Ballance of that Accompt & of a County Rate ordered in the Year 1712: Amounting in the Whole to Eighty seven Pounds & six Pence; Allow'd his Payments made thereout with his Commissions amounting to Eighty three Pounds nineteen Shillings & six Pence: Allow'd by the Representatives; Read & Concur'd. [*Passed June 12.*]

CHAPTER 49.

VOTE ALLOWING £.35¹¹ 2¹¹ 4, TO Y^E OVERSEERS OF Y^E POOR IN Y^E TOWN OF BOSTON.

Legislative
Records of the
Council, ix.,
298.

[UPON READING] An Accompt presented by the Overseers of the Poor in the Town of Boston for the Support of Priscilla Smart, Peter Reuben & Alexander Steward, Diet & Clothing for the Space of one Year past Steward only three Weeks short, amounting to Thirty five Pounds two Shillings and four Pence

Voted That the Sum of Thirty five Pounds two Shillings & four Pence be allowed & paid out of the Publick Treasury to the Overseers of the Poor in the Town of Boston to discharge the said Accompt. [*Passed June 12.*]

CHAPTER 50.

ORDER OF HEARING &c. ON NICH^o MOOREYS PETITION, COMPLAINING OF A JUDGMENT.

UPON READING a Petition of Nicholas Moorey of Freetown in the County of Bristol Yeoman complaining of a Judgement obtained against him & Lieu^r Josiah Winslow of the same Town at the Suit of Nath^l & Timôthy Halloway for Damage on Breach of Covenant &c in the Sup^r Court of Judicature by Appeal from the Inf^r Court in the Year 1711: And Judgem^t awarded for more Damage than suggested or Demanded by the Writt & Execution levied for the whole Sum upon his Estate in Lands in such Manner as is to his great Prejudice, And the said Land disposed of to Cpt. Jared Talbot in a very short Time;

Legislative
Records of the
Council, ix.,
298.

Post, chap. 96.
Legislative
Records of the
Council, ix.,
285.

Ordered that the Consideration of the Petition be referred to the Session of this Court in the Fall of the Year, And that the Petitioner Cause the Halloways the Sheriff & M^r Justice Talbot to be notified thereof that they may attend their Concern therein If they see Cause, And if the Petitioner see Cause in the Interim to purchase a new Writt of Review of the said Suit, he may bring it in the Names of him self & Josiah Winslow, notwithstanding any Collusion or Combination betwixt Winslow & the Adverse Party or his Disavowing the Action, the Petitioner to indemnify them from all Costs, Or to bring the Suit in his own Name singly, The Execution being wholly satisfied of his proper Estate. [*Passed June 12.*]

CHAPTER 51.

ORDER FOR SENDING BRADFORDS DEED TO BARNSTABLE COUNTY TO BE RECORDED.

M^r SECRETARY reporting that the Deed of Release & Quit Claim to the Lands at & about Cape Cod &c, Executed by Mess^{rs} John, Thomas &c Bradfords Sons & Heirs of William Bradford late of Plimouth Esq^r Dec^d approved by this Court is registered in the Secretarys Office;

Legislative
Records of the
Council, ix.,
299.

Ante, chap. 45.

Ordered that it be delivered to John Otis Esq^r one of the Justices within the County of Barnstable to Cause it to be registered in that County & return'd back to the Office; And the said Deed was delivered accordingly in Council. [*Passed June 13.*]

CHAPTER 52.

VOTE ALLOWING £.20, TO FREETOWN TOW^{DS} YE SUPPORT OF THEIR MINISTER.

Voted That the Sum of Twenty Pounds be allowed & paid out of the Publiek Treasury towards Maintaining a Minister in the Town of Freetown the Year Currant. [*Passed June 13.*]

Legislative
Records of the
Council, ix.,
299.

CHAPTER 53.

VOTE ALLOWING SUFFOLK C^O TREAS^{RS} ACCT^{TS} BUT REFUSING FIVE PER CENT DISCOUNT FOR THE FUTURE.

Legislative
Records of the
Council, ix.,
299.

AN ACCOMPT presented by Jeremiah Dummer Esq^r Treasurer of the County of Suffolk of a County Rate ordered in the Year 1711: the Ballance of y^t Accompt & of a County Rate Ordered in the Year 1712, Amounting in the Whole to One Thousand Eighty one Pounds twelve Shillings & eleven Pence, and of his Payments made there-out with his Commissions, amounting to Eight Hundred eighty seven Pounds nineteen Shillings; Allowed by the House of Representatives; &

Ordered that for the Future, Five per Cent. Loss upon Paying of Money be no more allowed to the Accomptant; And that such Constables in the County as have received in the Rates not allowing five per Cent. on the Bills of Credit paid to them refund to their respective Town Treasurers the Five per Cent. advance, W^{ch} the County Treasurer allowed in his Receiving the Taxes of them to be improved & paid in Part of the respective Towns Proportion to the next County Assessment

Concurred in Council. [*Passed June 13.*]

CHAPTER 54.

VOTE APPOINTING A COMM^{TEE} TO SURVEY LAND PETITIONED FOR BY FRAMINGHAM. [*Passed June 13.*]

Legislative
Records of the
Council, ix.,
300.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 55.

VOTE OF CONFIRMATION OF 240 ACRES OF LAND TO JETHRO COFFIN. [*Passed June 13.*]

Legislative
Records of the
Council, ix.,
277.

Maps and
Plans, iv., 13.

Maps and
Plans, iv., 12.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 56.

ORDER CONFIRMING CHARLESTOWN BY LAW AGST SWINE.

Legislative
Records of the
Council, ix.,
300.

UPON READING a Petition of several of the Freeholders & Inhabitants of the Town of Charles-Town in the County of Middlesex, presented by their Representatives, PRAYING that a Town Vote pass'd by y^e Freeholders & Inhab^{ts} of the said Town at a Gen^l Town Meeting the second of March last past for the Restraint of Swine going at Large may be confirmed & established as a By Law for the said Town upon the Sanction therein mentioned;

Voted, That the Prayer of the Petition be granted, And the By Law of the Town of Charlestown within mentioned be allowed & confirmed, So that this Order take not Effect till the twentieth of October next. [*Passed June 15.*]

CHAPTER 57.

VOTE ACCEPTING THE TREAS^{RS} ACC^O & DISCHARGING HIM FOR
£.4787 ¹¹ 17 ¹¹ 7.

THE FOLLOWING VOTE pass'd in the House of Repres^{ves} Read & Concurred; Viz,

Legislative
Records of the
Council, ix.,
301.

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver Gen^l of this Province, beginning the 31st of May 1712, And Continued unto the 29th Day of May 1713. Amounting to the Sum of Sixty five Thous^d five Hundred Pounds, four Shillings & ten Pence having been presented & laid before the House of Represent^{ves} & inspected by said House; By which it appears, There was standing out on the said twenty ninth Day of May of the sev^l Assessm^{ts} Ten Thousand two Hundred & ninety seven Pounds, As also of the Duties of Impost &c (as by Accompt rec^d from M^r Daniel Russel Commissioner) Two Thousand forty seven Pounds eighteen Shillings & three Pence to be drawn in to the Treasury & further to be accompted for;

Voted that the said Accompts in the sev^l Articles of Receipts & Payments therein mentioned, amounting unto the Sum of Forty seven Thous^d seven Hundred Eighty seven Pounds seventeen Shillings & seven Pence be & hereby are approved & allowed of, And the said Treas^r is hereby discharged of the said Sum of Fourty seven Thousand seven Hundred Eighty seven Pounds seventeen Shillings & seven Pence. [*Passed June 16.*]

CHAPTER 58.

ORD^R FOR ISSUING £.7000, IN BILLS.

Resolved that the Treasurer be & hereby is directed & impowered to issue forth & Emit the Sum of Eight Hundred sixty eight Pounds of the Bills of Publick Credit on this Province, which remain of the Fifteen Thousand Pounds lodged with him to Exchange for the Twenty Shilling Bills, Dated in 1702: Called in by Order of this Court; And the further Sum of Six Thousand one Hundred thirty two Pounds of the Bills of Publick Credit on this Province that are or shall be received into the Treasury, In the Whole the Sum of Seven Thousand Pounds, Towards Payment of the Publick Debts of the Province already contracted & the further necessary Charge for the Defence thereof, For Supplying & Subsisting the Forts Garrisons & Forces raised & employed within the same, & Wages arising for their Service, For the Payment of Grants, Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made on him by Warr^t or Order of the Govern^r by & with the Advice & Consent of the Council: And the said Bills shall pass out of the Treasury at the Value therein expressed, Equivalent to Money & shall

Legislative
Records of the
Council, ix.,
301.

Ante, chap. 39.
Post, chap. 78.

¹ Printed in the notes to the Acts of the year 1713-14, Province Laws, i., 733; reprinted here, as important.

be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent. more.

And that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in the said Bills to the Treasury again so far as that will reach;

And as a further Fund & Security for the same, For the Paying of Soldiers Wages, & for Defraying the further necessary growing Charge of the Province, the Defence of her Majesties Subjects & Interests within the same & Support of the Government thereof, There be & hereby is granted to her most Excellent Majesty to the Ends & Uses aforesaid, A Tax of Seven Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province, According to such Rules & in such Proportion upon the several Towns & Districts within the same, as shall be Agreed on & Ordered by the Great & Gen^l Court or Assembly of this Province, At their Session in May Anno One Thousand seven Hundred & eighteen, To be paid into the Treasurer, Two Thousand Pounds thereof on or before the last Day of November next after, And the remaining Five Thousand Pounds thereof at or before the last Day of May anno, One Thousand Seven Hundred & nineteen. [*Passed June 16.*]

CHAPTER 59.

RESOLVE FOR MAKING A PRESENT TO W^M HARRIS OF £.10, IN PLATE.

Legislative
Records of the
Council, ix.,
302.

Resolved that M^r William Harris be presented with a Piece of Plate of the Value of Ten Pounds for his good Service in Translating of French Papers for this Government for several Years past to be paid for out of the Publick Treasury; And that John Clark & Addington Davenport Esq^{rs} be desired to prepare & present it. [*Passed June 16.*]

CHAPTER 60.

RESOLVE ALLOWING SAM^LL GERRISH'S ACC^O FOR £.11 ⁴/₁₁ 8.

Legislative
Records of the
Council, ix.,
302.

Post, chap. 76.

AN ACCOMPT of Samuel Gerrish Book seller for Printing M^r Pembrtons Election Sermon, Sticking & Binding of them up, Amounting to thirteen Pounds, fourteen Shillings & eight Pence, Whereof two Pounds ten Shillings received for Sales of some of them, There remaining Eleven Pounds four Shillings & Eight Pence due for Ballance.

Read &

Resolved that the Sum of Eleven Pounds four Shillings & Eight Pence be allowed & paid out of the Publick Treasury to Samuel Gerrish the Accomptant being the Ballance of his Accompt, And that he be directed to return the remaining Books to this Court. [*Passed June 16.*]

CHAPTER 61.

RESOLVE ALLOWING CPT. SOUTHACK £.50.

Legislative
Records of the
Council, ix.,
303.

UPON READING a Memorial of Cpt. Cyprian Southack of the Demands of sev^l Sums of Money to be paid by this Government, That is to say, For Hire of the Sloop Speedwell for Entertainm^t of Admiral Walker,

for Expences on the Pilots & Drawing a Map, & Loss of Time & Expences in Manning the Transports, Amounting in the Whole to One Hundred thirty six Pounds seventeen Shillings; He having been before considered & allow'd for his Loss of Time in the Drawing of Maps Meeting of Pilots & Expence in Manning of Transports;

Resolved that the Sum of Fifty Pounds be allowed & paid out of the Publick Treasury to Cpt. Cyprian Southack in full of his Demand from this Governm^t. [*Passed June 16.*]

Post, chap. 120.
Legislative
Records of the
Council, ix.,
279.

CHAPTER 62.

RESOLVE ALLOWING £5, TO Y^E MINISTRY AT BROOKFP.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury towards the Maintenance of the Ministry in the Plantation of Brookfield the Year Currant. [*Passed June 16.*]

Legislative
Records of the
Council, ix.,
303.

CHAPTER 63.

VOTE ALLOWING £4, TO MARY FLEGG: £3¹¹ 10, TO SARAH BEERS.

IN ANSWER to the Petition of Mary Flegg & Sarah Beers of Watertown Widows, for Consideration & Allowance to be made them for Charges & Expence on the Sickness & Funeral of Michael Flegg Husband of the said Mary Flegg & Richard Beers Son of the said Sarah Beers being return'd home sick from her Majesties Service in the design'd Expedition against Canada in the Year 1711.

Voted That there be allowed & paid out of the publick Treasury, Four Pounds for Mary Flegg & Three Pounds ten Shillings to Sarah Beers in full of their Petition. [*Passed June 16.*]

Legislative
Records of the
Council, ix.,
303.

CHAPTER 64.

VOTE GRANTING JN^O BORLANDS PETITION FOR A YEAR'S RESPITE IN PAYMENT OF A LOAN.

UPON READING a Petition of John Borland of Boston Merchant, Praying a further Indulgence & Respite of One Years Time longer, for his Paying in the Sum of Nine Hundred eighty one Pounds five Shillings & three Pence, Part of the Loan in the Publick Bills of Credit by him received out of her Majesties Treasury of this Province, for that he is so much in Advance towards the Charge of the late intended Expedition to Canada, As by his Accompts audited reported & transmitted to the Right Hon^{ble} the Lord High Treasurer of Great Britain, with a Certificate thereon for his Lordships Direction to Cause Payment to be made, but not One Penny yet received;

Voted That the Prayer of the Petition be Granted. [*Passed June 16.*]

Legislative
Records of the
Council, ix.,
303.

Ante, chap. 44.
Post, chap. 172.
Legislative
Records of the
Council, ix.,
249, 255, 300.

CHAPTER 65.

VOTE ALLOWING NATH^{LL} WHITNEY £5.

Legislative
Records of the
Council, ix.,
303.

IN ANSWER to the Petition of Nath^{ll} Whitney of Watertown Praying to be reimbursed his Charge & Expences on the Sickness & Funeral of his Son Ebenezer Whitney, who return'd Home sick from the Service of the late intended Expedition against Canada of which Sickness he dyed.

Voted That the Sum of Five Pounds be allowed & paid out out¹ of the Publick Treasury to Nathaniel² Whitney the Petitioner in full of his Petition. [*Passed June 16.*]

CHAPTER 66.

VOTE ACCEPTING THE COMM^{TEES} REPORT OF A DUTY FOR Y^R LIGHT HOUSE.

Legislative
Records of the
Council, ix.,
304.

THE FOLLOWING REPORT of a Committee for a Duty for the Support of the Light House ; Read & Accepted & Concur'd by the Repres^{tes} Viz,

IN OBSERVANCE of the Order of Court, We are humbly of Opinion, 1st That One Penny per Tun Inwards & One Penny per Tun Outwards be paid by all Vessels, coming in & going out of Boston Harbour, Excepting Coasters, Wood Boats, Fishing Vessels, & other Vessels employed in Bringing in Lumber &c from within this Province or New Hampshire :

2^{ly} That all Coasters pay two Shillings each Time they clear out at the Port of Boston ; None to be accounted Coasters, But such who import Provisions, Tar, Pitch Turpentine & Lumber, Whose Owners belong to this Province, New Hampshire, Rhoad Island Connecticut, New York, East or West Jersey or Annapolis Royal, And are bonâ Fide bound to some of the aforementioned Governm^{ts} or Virginia, Mary Land, Roanoak or Pensilvania : 3^{dly} That all Fishing Vessels, Wood Boats & other Vessels employed in Bringing Fish, Wood, Lumber &c from within this Province coming into Boston Harbour, shall at their first passing the Light House, pay five Shillings to be for the Year ; 4^{thly} That the Undertakers be impowered to appoint an Officer, who shall attend at certain Hours for the Entering of all such Vessels & to give Certificates of the Payment of the Duty hereby set,

Who shall be allowed Six Pence for each Certificate for his Attendance over & above the Duties herein enumerated.

(sign'd) ELISHA HUTCHINSON p Order of the Comm^{tee}

PROPOSED, That for Doing equal Justice & Preventing Disputes, All Ships or other Vessels with two Decks may be measured upon the Main Deck from the Stem to the Stern Post, Then Subducting the Breadth from Out side to Out Side athwart the Main Beam, the Remainder to be accounted her Length by the Keel, W^{ch} being multiplied by the afore said Breadth, & the Product thereof multiplied by One Half of the said Breadth (as Depth of Hold) Dividing the whole Product by One Hundred, The Quotient to be the Tunnage of said Ship ; & all Ships & other Vessels having a single Deck or Deck & an Half to be measured in the same Manner Excepting the Depth of Hold, W^{ch} may be from the Ceiling to the lower Side of the Main Beam. [*Passed June 17.*]

¹ *Sic.*

² Written Nathaniel.

CHAPTER 67.

VOTE ALLOWING £.20, TO JN^O CAMPHEL POST MASTER.

IN ANSWER to the Petition of John Camphel Deputy Post Master Gen^l & his Accompt therewith presented for the Postage of Publick Letters; Praying such an Allowance may be made him as to enable & Encour[a]ge him to be faithful in the Discharge of his Post; Legislative
Records of the
Council, ix.,
305.
Voted That the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to the Petitioner in full of his Accompt to the thirtieth of May last. [*Passed June 17.* Legislative
Records of the
Council, ix.,
223, 291.

CHAPTER 68.

VOTE FOR BRINGING AN INFORMATION AGAINST MAJ^R STODDARD.

IN CONSIDERATION of the Information & Complaint of William Armes of Deerfield against Major John Stoddard late Captain of a Company at the Garrison of Deerfield for a false Muster; Legislative
Records of the
Council, ix.,
305.
Voted That an Information be brought forward at the next Court proper for Trying the same against the said Stoddard & that M^r Attorney Gen^l be desired to bring forward an Information accordingly. [*Passed June 17.*]

CHAPTER 69.

RESOLVE ALLOWING £.250, TO HIS EX^{CY}.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed and paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain Gen^l & Govern^r in Chief of this her Majesties Province for his Support in Managing the the¹ Affairs of the Governm^t. [*Passed June 18.* Legislative
Records of the
Council, ix.,
305.
Post, chap. 121.

CHAPTER 70.

RESOLVE ALLOWING £.50, TO Y^E HON^{BLE} THE LT GOV^R.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} William Tailer Esq^r Lieu^t Govern^r in Consideration of his Readiness at all Times to serve this Province. [*Passed June 18.* Legislative
Records of the
Council, ix.,
306.

CHAPTER 71.

RESOLVE ALLOWING £.200, TO THE JUDGES.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superiour Court in Proportion to y^e Courts they attended y^e last Year. [*Passed June 18.* Legislative
Records of the
Council, ix.,
306.

CHAPTER 72.

RESOLVE ALLOWING £.225, TO M^R TREAS^R TAYLOUR.

Legislative
Records of the
Council, ix.,
306.

Resolved that the Sum of Two Hundred & twenty five Pounds be allowed & paid out of the publick Treasury to M^r James Taylour Treasurer of this Province, for his Service in the said Office the Year past. [*Passed June 18.*]

CHAPTER 73.

RESOLVE FOR REMITTING £.300, STERL. TO M^R AGENT DUMMER.

Legislative
Records of the
Council, ix.,
306.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three Hundred Pounds Sterling to be paid M^r Jeremiah Dummer in London Agent for this Province further to Enable him to negotiate the Affairs thereof. [*Passed June 18.*]

Legislative
Records of the
Council, ix.,
275.

CHAPTER 74.

RESOLVE ALLOWING £.20, TO M^R JN^O WHITE.

Legislative
Records of the
Council, ix.,
306.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in Part for his Service the Year Currant. [*Passed June 18.*]

CHAPTER 75.

RESOLVE ALLOWING £.30, TO JA. MAXWELL.

Legislative
Records of the
Council, ix.,
306.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to M^r James Maxwell Door keeper to his Excellency the Govern^r & this Court for his Service the Year past, ended the eighth Day of this Month. [*Passed June 18.*]

CHAPTER 76.

VOTE ALLOWING £.5¹¹ 2¹¹ 10, TO M^R SAM^LL GERRISH BOOK SELLER.

Legislative
Records of the
Council, ix.,
306.

[UPON READING] An Accompt presented by Samuel Gerrish Book seller of the Charge for Paper Printing Folding & Sticking of M^r Chevers's Election Sermon, Amounting to Six Pounds & four Pence, Of which Five Pounds two Shillings & ten Pence resting due to Balance ;

Ante, chap. 60.

Voted That the Sum of Five Pounds two Shillings & ten Pence be allowed & paid out of the publick Treasury to M^r Samuel Gerrish being the Ballance of his Account. [*Passed June 18.*]

CHAPTER 77.

VOTE OF ADVICE ABOUT A PRESENT SUPPLY TO THE INDIANS, IN TRADE.

THE FOLLOWING VOTE pass'd in the House of Repres^{es} Read & Concur'd, Viz,

WHEREAS the Indian Rebels have not as yet brought in the Capitives, & made their Submission, which is demanded of them by his Excellency by the Advice of this Court before they should be admitted to any further Terms, This House are humbly of Advice that it is not proper to make any further Steps towards a Trade with them; But that upon their Compliance with the afore said Demands of his Excellency, His Excellency with Advice & Consent of the Council do admit them to such Trade with particular Persons on their own Accounts for their present Supply as shall be thought most convenient, till the next succeeding Session of this Court when the Nature of a Trade with them may be more thoroughly considered. [*Passed June 19.*]

Legislative
Records of the
Council, ix.,
307.

Provincial
Papers, New
Hampshire, ii.,
Part 1., 649, 650.

CHAPTER 78.

ORD^R FOR IMPRINTING £.500, IN BILLS OF CREDIT.

Ordered that the Sum of Five Hundred Pounds in Bills of Publick Credit on this Province be further & forthwith made by the Comm^{tee} that made the last Bills, upon the Plate which contains two Shillings, two Shillings & six Pence, three Shillings, three Shillings & six Pence Bills, Who shall be paid for them as they were for the Bills they last made, That they deliver them to the Treasurer taking his Receipt for the same; And the Treasurer is hereby directed to issue them in Lieu of the like Sum of Five Hundred Pounds of Bills that are or shall be received into the Treasury ordered to be Emitted by a Resolve of this Court made this Session granting unto her Majesty a Tax of Seven Thousand Pounds. [*Passed June 19.*]

Legislative
Records of the
Council, ix.,
307.

Ante, chap. 58.
Post, chap. 98.

CHAPTER 79.

ORDER DISMISSING THE POWDER HOUSE WARDER.

FOR ABATING & Retrenching the growing Charge,

Ordered that the Warder appointed to guard the Powder House by Day be now dismiss, There being no further Occasion for that Charge. [*Passed June 19.*]

Legislative
Records of the
Council, ix.,
308.

CHAPTER 80.

ORD^R FOR SAM^{LL} MAXWELL TAKING CHARGE OF THE COURT HOUSE
& HIS ALLOWANCE.

Legislative
Records of the
Council, ix.,
308.

Ordered that the Care & Charge of the publick Court House in Boston for the seasonable Opening & Shutting it up, Preserving it from Damage Keeping it clean &c, be committed to Samuel Maxwell Door keeper to this House, And that he be allowed after the Rate of Forty Pounds for the Year Currant beginning the first Day of this Month for the said Services if he perform them, Ten Pounds Part thereof to be now paid him, And the further Sum of Three Pounds for his Service the two last Sessions out of the Publick Treasury. [*Passed June 19.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FIFTH DAY OF AUGUST, A.D. 1713.

CHAPTER 81.

ORDER APPOINTING A COMMITTEE FOR RUNNING THE S^O LINE &c WITH CONNECTICUT. [*Passed August 6.*]

Legislative
Records of the
Council, ix.,
313.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 29.
Post, chap. 82.

CHAPTER 82.

RESOLVE ACCEPTING THE AGREEMENT FOR FIXING THE LINE WITH CONNECTICUT AND GRANTING LAND TO ELISHA HUTCHINSON & ISA^A ADDINGTON ESQ^{RS}. [*Passed August 7.*]

Legislative
Records of the
Council, ix.,
312.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Ante, chap. 81.
Post, chap. 135.
Legislative
Records of the
Council, ix.,
311, 312.

CHAPTER 83.

ORDER OF CONFIRMATION OF TAUNTON N^O PURCHASE. [*Passed August 7.*]

Legislative
Records of the
Council, ix.,
314.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Post, chap. 153.

CHAPTER 84.

VOTE FOR SUPPLY OF THE INDIAN TRADE.

UPON CONSIDERATION of that Part of his Excellencies Speech, which refers to Supplying the Eastern Indians, who have lately recognized their Submission to her Majesty;

Legislative
Records of the
Council, ix.,
315.

Voted that his Excellency with the Advice & Consent of the Council do admit them to such a Trade with particular Persons on their own Accompts for their present Supply as shall be thought most convenient untill the next Fall Session come When there may be Leisure

more thoroughly to Consider the Nature of that Trade & make a proper Settlement thereof :

Voted by both Houses. [*Passed August 7.*]

CHAPTER 85.

ORDER FOR SELLING OF Y^E PROV. GALLEY.

Legislative
Records of the
Council, ix.,
315.

Post, chap. 128.

THE WAR being now ended & no further Occasion for the Province Galley W^{ch} lies by the Walls upon Charge & under Decays :

Ordered that M^r Commissary Gen^l Belcher, Cpt. Thomas Hutchinson & Major Thomas Fitch be a Comm^{tee} to make Sale of the said Ship with all her Tackle Apparel Stores & Appurtenances (her Great Guns & Small Arms excepted) at the best Rate that may be & deliver the Produce to the Treas^r taking his Receipt for the same ; The Great Guns & Small Arms & Appurtenances belonging to them still to remain in the Custody of the Commissary Gen^l. [*Passed August 8.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FOURTEENTH DAY OF OCTOBER, A.D. 1713.

CHAPTER 86.

ORDER GRANTING FRANCIS HOLMES'S PETITION ABOUT AN INDIAN
MAN.

UPON READING a Petition of Francis Holmes of Boston Tavern^r Praying that he may be indulged and favoured to Continue in his Service a Carolina Indian Man used to the Masons Trade till a brick building he has now in hand is finished promising then to Transport and Send him back again

Legislative
Records of the
Council, ix.,
320. Mass.
Archives, ix.,
169.

Ordered, That the Prayer of the Petition be Granted Viz^t that the Petition^r be indulged to Continue the Said Indian in his Service for one year longer. He giving Security as is proposed then to Transport him.

And that the Suit depending in the Law against him upon his former bond cease. [*Passed October 16.*]

CHAPTER 87.

ORDER OF HEARING ON THE PETITION OF KATHⁿ NANNEY ALIAS NAY-
LOUR TO SELL OR MORTGAGE LAND.

A PETITION of Katherine Nanny alias Naylour Widow & Relict of Robert Nanny Dec^d Praying Liberty to make Sale or to mortgage a House & Land in Boston of her s^d Husband Nanneys for her necessary Relief & Support: Read &

Legislative
Records of the
Council, ix.,
320.

Post, chap. 168.

Ordered that the Petitioner Cause Major John Wheelwright, & the Attorney of the Heirs of Robert Nanney (if any such there be) to be served with a Copy of this Petition, That they may be heard thereupon at the present Session in Case they can be timely Notified, Or otherwise at the next Session of this Court, If any Thing they have to object why the Prayer thereof should not be granted. [*Passed October 16.*]

CHAPTER 88.

ORDER ESTABLISHING LYN N^o PRECINCT. [*Passed October 16.*]

Legislative
Records of the
Council, ix.,
320.

Legislative
Records of the
Council, ix.,
300.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 89.

ORDER IMPOWERING JOS. PARSONS TO SELL LAND.

Legislative
Records of the
Council, ix.,
321.

UPON READING a Petition of Joseph Parsons of Boston Clerk, Constituted sole Execut^r of the last Will & Testament of Margaret White late Relict & Executrix of Lawrence White of Boston Mariner both Dec^d Praying that he may be impowered & enabled to make Sale of a certain House & Land of the said Lawrence Whites scituate at the North End of Boston of the Value of about Ninety Pounds, & Pass & Execute a good Deed in the Law for Conveyance thereof, That so he may pay & satisfy the Debts contracted by the said Margaret as well for Paym^t of her said Husbands Debts as for Necessaries for her own Support & Relief there being no Issue or known Relation of the said Lawrences;

Ordered that the Prayer of the Petition be granted, & the Petitioner is impowered to execute a good Deed of Sale for the said House & Land therein mentioned, He to accompt with the Judge of Probate for the Remainder of the Money produced of the said Sale after Payment of Debts. [*Passed October 17.*]

CHAPTER 90.

ORDER ON BENJ^A HOWLANDS PETITION IN REGARD TO A DEFECTIVE DARTMOUTH RATE BILL.

Legislative
Records of the
Council, ix.,
321.

UPON READING a Petition of Benjamin Howland now or late Constable of Dartmouth Setting forth that in the Year 1712, A Rate Bill was committed to him & Warrant signed by John Trip, John Tabor & John Russel Select Men to collect the Sum therein contained of the Inhabitants; Two of whom, Viz, Tripp & Tabor were sworn according to Law Russel not, So that the Petitioner has been sued by one Allen for an illegal Distress made upon him by Vertue of the said Warr^t And Judgem^t given against him, & is liable to the Actions of others, humbly Praying the Advice of this Court;

The Validity of the Rate Bill of the Town of Dartmouth in the County of Bristol for their Proportion to the Province & Town Tax made in the Year 1712: with the Warrant thereupon signed by the Assessors being drawn into Question, For that only Two of the three Assessors were under Oath, to the Obstruction of the Collecting & Drawing into the publick Treasury so much of the Sum granted by this Court to her Majesty for the Publick Service of the Province;

Ordered that for this Time the said Rate Bill be held & esteemed good & valid in the Law the afore said Defect notwithstanding, And that the Constables proceed to perfect their Collections accordingly & be justified in their Doings therein; So nevertheless, That if any particular Person or Persons be aggrieved at the Proportion set on them to the said Tax, They be heard before M^r Justice Pope & the Assessors & eased therein upon just Cause shewn. [*Passed October 17.*]

CHAPTER 91.

RESOLVE ALLOWING £.60, TOWARDS BUILDING PATUCKET BRIDGE.

UPON A MEMORIAL presented by Joseph Jenks Esq^r Relating to the Charge of Erecting a Bridge over Pautucket River;

Resolved that the Sum of Sixty Pounds be allowed & paid out of the publick Treasury to Joseph Jenks Esq^r the Memorialist towards defraying the Charge of the Bridge mentioned in his Memorial. [*Passed October 17.*]

Legislative
Records of the
Council, ix.,
322.

Ante, chap. 1.
Legislative
Records of the
Council, ix.,
321.

CHAPTER 92.

ORDER ESTABLISHING A PRECINCT IN READING. [*Passed October 20.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix.,
323.

CHAPTER 93.

ORDER ACCEPTING THE COMM^{TEES} REPORT IN Y^E AFFAIR OF MEDFIELD.
[*Passed October 20.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix.,
323.

Ante, chap. 5.

CHAPTER 94.

ORDER ALLOWING 4/8, P^r MAN P^r WEEK FOR VICTUALLING AT CASTLE
WILLIAM.

ON THE PETITION of Zechariah Tuthill Lieut. & Master Gunner of her Maj^{ties} Castle William:

Ordered that Four Shillings & eight Pence per Man per Week be allowed to the Petitioner for Victualling the Garrison the Half Year, Ending the third Day of June next, And the Sum of Thirty Pounds in Consideration of his Service in Buying Materials Overseeing Directing & Keeping the Accompts of the Works, & the late Disadvantage he has been under in the Victualling. [*Passed October 20.*]

Legislative
Records of the
Council, ix.,
324.

Ante, chap. 25.
Post, chap. 103.

CHAPTER 95.

VOTE APPOINTING A COMM^{TEE} FOR RESETTLEM^T OF WORCESTER. [*Passed October 21.*]

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Legislative
Records of the
Council, ix.,
324.

Mass.
Archives,
cxlii., 585.

CHAPTER 96.

ORDER ON NICH^o MOREYS PETITION, COMPLAINING OF A JUDGMENT AGAINST HIM.

Legislative
Records of the
Council, ix.,
326.

Ante, chap. 50.
Legislative
Records of the
Council, ix.,
325.

IN THE CASE of Nicholas Moorey of Freetown by his Petition to this Court Complaining of great Wrong done him by a Judgem^t given against him & Josiah Winslow in the Superiour Court of Judicature within the County of Bristol on the second Tuesday of September in the Year 1711. At the Suit of Nath^l Halloway & Timothy Halloway for Breach of Covenant & Damages awarded against them more than averred & demanded in y^e Writt Complaining also of the Mislevying the Execution awarded upon the said Judgem^t the whole Damages being levied upon the Complainants Lands, who was but a joint Party in the Covenant, & in such Manner as is grievously to the Prejudice of the Remainder thereof, And that the Creditors immediately made Sale of the same, whereby the Complainant is left without Remedy in the Law to redeem or Recover back his Lands upon Paying the Money for which the same was levied; Manifest Errorr appearing in Rendering the said Judgem^t & the Proceedings had thereupon & Injustice done the Complainant;

It is therefore

Ordered that the Lands so unduly & unjustly taken & levied be subjected in the Law to the Arrest of the Complain^t upon Writt of Review for a New Trial of the said Cause, The Alienation thereof as afore said notwithstanding, & upon his Recovery the Lands to be restored to him again, The Vendors to be liable to the Action of the Vendee for the Money paid for the same; But if the former Judgem^t be affirmed, a new Execution to be awarded thereupon & levied on the Estates or Persons of both jointly obliged in the Covenant. And the first Execution declared void & of none Effect. [*Passed October 23.*]

CHAPTER 97.

ORDER CONFIRMING TITLE TO LANDS IN FAVOR OF JOHN HIGGINSON.

Legislative
Records of the
Council, ix.,
327.

UPON READING a Petition of John Higginson Esq^r Praying a Confirmation of two certain Lots of Land by him bought of James Dowland; & the Heirs of Joseph Hardy formerly sold unto them by Jeremiah Belcher late of Ipswich Dec^d out of a certain Tract of Land on the North Side of Merrimack River, butting against Pantucket & so running along to Haverhill wards as far as Wills Wigwam & so up into the Countrey to Jeremys Hill so called, W^{ch} the said Belcher purchased of Ned Acocket an Indian, The Lott of Dowlands containing one Hundred Poles Breadth upon the River & Three Hundred Poles back & Twenty Acres of Meadow, The Lott of Hardy containing One Hundred & Tenn Poles Breadth upon the River & Three Hundred & twenty Poles back & twenty Acres of Meadow, W^{ch} said Lotts ly above Major Denisons Farm against y^e upper End of Andover.

Ordered that the Prayer of the Petition be granted so far as it does not interfere with the Grant to Dracut nor any other Grant of this Court. [*Passed October 23.*]

CHAPTER 98.

VOTE ACCEPTING THE COMMITTEES' REPORT ABOUT UNSERVICEABLE BILLS.

THE COMM^{TEES} of both Houses appointed to sort & take an Account of the Bills of Credit of this Province received into the Treasury on Account of the Loan, Reported as follows; Viz,

Legislative Records of the Council, ix., 327.

We have attended the said Service, sorted, numbered & made up the s^d Bills in distinct Bundles, Containing the Number Sorts & Quantities following Amounting in the Whole to the Sum of Ten Thousand five Hundred & thirty five Pounds; Viz,

2 Bundles	£5.	—	—	q ^t	100 Bills in each Bundle	.	.	.	.	.	.	£1000.	—	—
2 Bundles	3.	—	—	q ^t	100 Bills in each Bundle	.	.	.	.	.	.	.600.	—	—
1 Bundle	2.	10.	—	q ^t	100	.	.	.	.	.	.	.250.	—	—
25. Bundles	2.	—	—	q ^t	100 in each Bundle	.	.	.	.	.	.	.5000.	—	—
18. Bundles.	1.	—	—	q ^t	100 in each Bundle	.	.	.	.	.	.	.1800.	—	—
22 Bundles	—	10.	—	q ^t	100. in each Bundle	.	.	.	.	.	.	.1100.	—	—
17. Bundles.	—	5	—	q ^t	100 in each Bundle	.	.	.	.	.	.	.425.	—	—
3. Bundles	—	4.	—	q ^t	100: in each Bundle	.	.	.	.	.	.	.60.	—	—
3 Bundles	—	3.	6.	q ^t	100. in each Bundle	.	.	.	.	.	.	.52.	10.	—
3 Bundles.	—	3.	—	q ^t	100. in each Bundle	.	.	.	.	.	.	.45.	—	—
9. Bundles.	—	2.	6.	q ^t	100 in each Bundle	.	.	.	.	.	.	.112.	10.	—
9. Bundles	—	2.	—	q ^t	100 in each Bundle	.	.	.	.	.	.	.90.	—	—

£.10535. -, -.

Sign'd EL^M HUTCHINSON THO: HUTCHINSON
PENN TOWNSEND JOHN BROWN.
EDW^D BROMFIELD,

Read & Accepted; And the Comm^{tee} are directed to proceed forthwith to the Burning of them. [*Passed October 23.*

CHAPTER 99.

VOTE APPOINTING A DAY OF THANKS GIVING.

Legislative
Records of the
Council, ix.,
328.

AT THE INSTANCE of the Represent^{ves} Desiring of his EX^{cy}. a Day
of Gen^l Thanks Giving, Proposed & Advised that it be on Thursday
y^e twelfth of Novemb^r next. [*Passed* October 24.*]

Love's
Fast and
Thanksgiving
Days of New
England,
p. 488.

CHAPTER 100.

ORDER ACCEPTING THE COMMISSARY GEN^LLS ACCT^S.

REPORT of the Comm^{tee} of the Repres^{ves} upon the Commissary Gen^l Legislative
Accompts & Order pass'd thereupon in that House as follows; Viz, Records of the
Council, ix., 328.

We the Subscribers appointed by the House of Repres^{tes} to Examine & Audit the Accompts of Andrew Belcher Esq^r Commissary Gen^l have attended that Service & have examined his Accompts from the tenth Day of March 1713 to the third Day of August next after, And find them right Cast & well avouched, And that on the said third Day of August 1713. There is due from the Province to the said Andrew Belcher the Sum of Four Hundred Fifty six Pounds twelve Shillings & eight Pence, as was reported by the Comm^{tee} of the Council that examined the same.

Post, chap. 150.

Boston Oct. 10. 1713.

JOHN CLARK
THO: FITCH

THO. HUTCHINSON
WILLIAM ROUSE

Ordered that the said Report be accepted & the Commissary Gen^l discharged accordingly: Read & Concur'd with this Addition; Viz, That the above Sum of Four Hundred fifty six Pounds twelve Shillings & eight Pence is paid & discharged. [*Passed October 24.*]

CHAPTER 101.

ORDER ESTABLISHING ROYAL SIDE PRECINCT IN SALEM. [*Passed October 24.*]

Legislative
Records of the
Council, ix.,
329.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 102.

VOTE ACCEPTING THE COMM^{TEES} REPORT OF Y^E BURNING £.10535, & Y^E TREAS^R DISCHARGED OF THEM.

Legislative
Records of the
Council, ix.,
329.

IN OBEDIENCE to the Order of the Court directing us to proceed forthwith to the Burning of the Bills, We have Caused the Bills of Credit mentioned in our Report, Amounting to the Sum of Ten Thousand five Hundred & thirty five Pounds to be put into a convenient Oven & seen them all burnt to Ashes.

Ante, chap. 98.
Post, chap. 119.

(Sign'd)	ELIAKIM HUTCHINSON	PENN TOWNSEND
	THOMAS FITCH	THO: HUTCHINSON
	EDW ^D BROMFIELD	

Read & Accepted, And that the Treasurer be discharged of that Sum. [*Passed October 24.*]

CHAPTER 103.

VOTE ACCEPTING THE COMM^{TEES} REPORT OF WORKS TO BE DONE AT CASTLE W^M.

Legislative
Records of the
Council, ix.,
330.

REPORT of the Committee appointed to visit Castle William; Viz, We the Committee appointed by the Gen^l Court to view the Works done at Castle William, Have accordingly viewed the same, & seen the sev^l Accompts & Vouchers therefor, And find due Twenty six Pounds twelve Shillings & one Penny, And to compleat what is further & absolutely necessary As the Covering of the ravelins Paving the Covered Way down to the Block House, Covering the Salley Ports with the afore said Sum will require the Sum of Seventy Pounds to defray the same

Ante, chap. 94.
Post, chap. 162.
Legislative
Records of the
Council, ix.,
330.

Sign'd: ELISHA HUTCHINSON p Order of the Comm^{tee}

Voted a Concurrence with the Vote pass'd thereon in the House of Representatives; Viz, Read & Accepted; And It is further humbly proposed to his Excellency the Govern^r for Retrenching the Charge That a Surgeon be no longer continued in Pay at the Castle, The Number of that Garrison being Reduced, And when Necessity requires, A Surgeon may be soon had from Boston. [*Passed October 28.*]

CHAPTER 104.

ORDER GRANTING ISAAC WINSLOW PETITION FOR LAND IN RIGHT OF
M^r WALGRAVE.

UPON READING a Petition of Isaac Winslow Esq^r in Behalf of him self & his Sister Elisabeth the only Children & Heirs of Dame Penelope Winslow Dec^d Setting forth that the Gen^l Assembly at their Session in November 1702 : upon the Petition of M^r Edward Pelham, Granted to the said Pelham Eight Hundred Acres of Land ; Viz, Four Hundred for him self & the other Four Hundred for the Heirs & Assigns of M^r Thomas Walgrave Dec^d And the only Heir in this Countrey of the said M^r Thomas Walgrave being your Petitioners Grand-Mother, his Daughter & Mother of the afore said Penelope & first Wife to Herbert Pelham Esq^r Dec^d The said Edward Pelham being by an other Wife & no Ways related to the said Walgrave ; Praying that Four Hundred Acres, the one Half of the said Grant, may be assigned sett over & confirmed to the Petitioners & so much of the said Pelhams Grant made null & void ;

Legislative
Records of the
Council, ix.,
331.

M^r Pelham being notified appeared, made no Objection but submitted the Eight Hundred Acres of Land afore said to be divided, One Half thereof to the Petitioners in Right of M^r Walgrave :

Ordered that the Prayer of the Petition be granted for the Petitioner & his Sister, And that the former Order of this Court in November 1702, Directing the Laying out the Four Hundred Acres upon M^r Walgraves Grant to M^r Edward Pelham be revoked & made void. [*Passed October 28.*]

CHAPTER 105.

ORDER IN REGARD TO INFORMATION OF ENCROACHM^{TS} MADE BY
PROVIDENCE MEN.

UPON READING a Letter from the Commissioners for Running the Province Line, informing of Encroachm^{ts} made by the Providence People to the Northward of their Bounds, & Cutting great Quantities of Cedar off the Cedar Swamps. within this Province,

Legislative
Records of the
Council, ix.,
331.

Ordered that some meet Person be appointed to seize upon the Cutt Timber mentioned in the said Commissioners Letter, dated the 27th Curr^t to dispose of it to the best Advantage, And Return the Produce into the Province Treasury : And that proper Methods be taken to arrest the Trespassers & prosecute them in the Law, That Josiah Chapin Esq^r one of his Majesties Justices is deputed & impowered for that Service, And the House are desired to dismiss him accordingly ; And he is hereby instructed to act therein cautiously, not to seize upon any Timber cutt within one Mile to the Northward of the Line lately stated betwixt this Government and the Government of Rhoad Island. [*Passed October 28.*]

CHAPTER 106.

ORDER ESTABLISHING A PRECINCT IN IPSWICH. [*Passed October 29.*Legislative
Records of the
Council, ix.,
332.[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 107.

ORDER FOR SENDING M^r WILLIAMS & MAJOR STODDARD AS MESSENGERS TO CANADA.Legislative
Records of the
Council, ix.,
333.Legislative
Records of the
Council, ix.,
332.

Ordered that M^r Williams of Deerfield & Major John Stoddard be sent to Quebec to attend Mons^r Vaudreuil in Order to the Return of the English Prisoners there, And that they be attended by an Interpreter & four able Men, as shall be allowed by the Governour & Council, And that they forthwith proceed on their Journey with Credentials Letters & Instructions for that Service, And the Represent^{ves} are desired to consider of the Encouragement proper to be advanced to them & for their Charges thither;

And further *Voted* that Five Shillings per Day be allowed to M^r Williams & seven Shillings to Major Stoddard & their necessary Expences, And sixty Pounds between them advanced to fit them for their Journey; To the Interpreter Three Shillings per Day & four Pounds for his Outset; To each of the Attendants two Shillings per Day & Three Pounds for their Outset. [*Passed October 30.*]

CHAPTER 108.

ORDER OF HEARING ON THE DIFFERENCES ABOUT CHEBAQUEDOCK ISLAND.

Legislative
Records of the
Council, ix.,
333.

UPON READING a Representation & Petition of Matthew Mahew & Thomas Lothrop in Behalf of them selves & the Rest of the English Inhabitants concerned in the Right of Feeding & Meadows in the Island of Chebaquedock within the Township of Edgar Town: Thomas Lothrop one of the Petitioners as Agent on the Part of the English & Seeknout the Indian Sachem having mutually submitted the Differences & Disputes referring to the Island of Chebaquedock to his EX^{cy}. the Govern^r the Hon^{ble} the Lieut: Governour with some Gentlemen of the Council nominatim, To be heard & finally issued by them, As by the Instrument annexed; And the Governour & the other Gentlemen named having manifested their Willingness to undertake the Compromising & Issuing that unhappy Difference;

Voted that the said Submission be accepted accordingly, And the Governour & Gentlemen named are desired to proceed therein & to order the Parties Attendance on them at Boston on the second Wednesday of May next for a Hearing, And all Quarrels & Suits depending relating to the said Island are hereby stayed in the mean Time. [*Passed October 30.*]

CHAPTER 109.

ORDER REVIVING THE COMMITTEE FOR SALISBURY ABOUT PLACING THE MEETING HOUSE.

UPON READING a Petition of the Inhabitants of Salisbury, Setting forth their Differences with Respect to the Place for Erecting a new Meeting House for Accomodating the Town in Gen^l Praying a Comm^{tee} may be appointed & Authorized to Advise & Determine thereabout;

Legislative
Records of the
Council, ix.,
334.

Voted a Concurrence with the Order pass'd thereon by the Representatives; Viz, That the Prayer of the Petition be granted, And the former Committee are revived & impowered to repair to the Town of Salisbury & Consider & Determine the most convenient Place for the Erecting a Meeting House to accomodate the whole Town & Make Report to this Court. [*Passed October 30.*]

CHAPTER 110.

ORDER ON BENJA^A HALEY'S PETITION AS TO A GRANT OF THE FERRY AT BLACK POINT.

UPON READING a Petition of Benjamin Halley setting forth that his Father & Grand-father had Grants of & diligently attended on the Ferry betwixt Black Point & Winter Harbour, W^{ch} thō for some Years has been defeated by the barbarous Depredations made & now about to be Resettled; Praying that a Grant thereof may be made to him, That enjoying his Predecessors Lands which ly convenient for the same he may follow their Imployment;

Legislative
Records of the
Council, ix.,
335.

Ordered that the Petitioner have the Grant of y^e Ferry untill further Order from this Court, And that he have Liberty to erect a Dwelling House on his Land adjoining in Order to a Settlem^t of the Ferry. [*Passed October 31.*]

CHAPTER 111.

RESOLVE FOR SETTLING THE EASTERN PARTS. [*Passed October 31.*]

Legislative
Records of the
Council, ix.,
335.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Post, chap. 112.
Executive
Records of the
Council, vi.,
241.

CHAPTER 112.

ORDER APPOINTING A COMMITTEE FOR TO RECEIVE THE CLAIMS & REGULATE THE SETTLEMENTS THEREOF. [*Passed October 31.*]

Legislative
Records of the
Council, ix.,
336.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Ante, chap. 111.
Post, chap. 165.

CHAPTER 113.

ORDER ALLOWING PAYMENTS TO SEVERAL PERSONS FOR A JOURNEY TO CANADA.

Legislative
Records of the
Council, ix.,
336.

Mass.
Archives, li.,
236 bis. Leg-
islative Rec-
ords of the
Council, ix.,
231, 238.

UPON A REPRESENTATION of Coll. Samuel Patridge, That in July 1712, by Order from his Excellency, he sent Lieu. Sam^{ll} Williams since Dec^d Jonathan Wells, Eleazar Warner, & John Nimes to Canada about the Exchange of Captives, Praying Consideration for their Service & Expences & Allowance to be made them accordingly.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to M^r John Williams in full for what was due to his son Lieu. Samuel Williams dec^d To Jonathan Wells & John Nimes to each of them the Sum of Eleven Pounds ten Shillings: And to Eleazar Warner the Sum of Thirteen Pounds, In full for their Service & Expences. [*Passed November 3.*]

CHAPTER 114.

RESOLVE ALLOWING £.25 ¹¹/₃ 1, TO JN^o WINSLEYS ADMINIST^r FOR DEBT.

Legislative
Records of the
Council, ix.,
337.

UPON READING a Petition of Thomas Cushing & Mercy his Wife Daughter & Administratrix de Bonis non Administratis of John Wensley late of Boston Merch^t dec^d with an Accompt annexed of Twenty five Pounds three Shillings & a Penny due to the said Estate for sundrys delivered for the Use of the Castle in the Year 1674.

Resolved that the Sum of Twenty five Pounds, three Shillings & one Penny be allowed & paid out of the Publick Treasury to Thomas & Mercy Cushing the Petitioners to discharge the Debt mentioned in the Petition. [*Passed November 3.*]

CHAPTER 115.

RESOLVE ALLOWING £.5 ¹¹/₁₂ 6, TO JN^o GRIFFIN.

Legislative
Records of the
Council, ix.,
337.

UPON AN ACCOMPT presented by John Griffin Ferry Man at Haverhill for Ferriage of Horses & Men for her Maj^{ties} Service from Jan. 1709. to Sept. 1712.

Resolved that the Sum of Five Pounds twelve Shillings & six Pence be allowed & paid out of the publick Treasury to John Griffin the Accomptant in full of his Accompt. [*Passed November 3.*]

CHAPTER 116.

RESOLVE ALLOWING £.15, TOWARDS REPAIRING Y^e ROAD BETWIXT HAMPSHIRE & WORCESTER.

Legislative
Records of the
Council, ix.,
337.

UPON A MEMORIAL presented by the Representatives for the County of Hampshire of the Incumbrances & Inpassableness of y^e Road betwixt the said County & Worcester, And that the same may be in some Places laid out upon better & more passable Ground

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the Publick Treasury to Joseph Parsons Esq^r & M^r Henry Dwight, to be by them improved to the best Advantage for Mending the Way mentioned in the Petition, And when done the Accompt to be laid before this Court. [*Passed November 4.*]

CHAPTER 117.

RESOLVE ALLOWING £.24^{..} 5, TO CPT HUMPH. HOOK.

UPON READING a Petition of Humphrey Hook late Captain of her Majesties Fort at Saco with an Accompt of Debt annexed, by him demanded of the Province, for a Gundalo, Shingles, Watch Coals & Victualling &c. To the Sum of Thirty four Pounds six Shillings & six Pence.

Legislative
Records of the
Council, ix.,
338.

Resolved that the Sum of Twenty four Pounds & five Shillings be allowed & paid out of the publick Treasury to Cpt. Humphrey Hook the Petitioner in full of his Demand on this Province. [*Passed November 5.*]

CHAPTER 118.

ORDER FOR A NEW IMPRESSION OF THE LAWS & COMM^{TEE}.

THE FOLLOWING ORDER pass'd in y^e House of Represent^{ves} Viz,
To the Intent that the Laws of this Province may be more certainly known & understood;

Legislative
Records of the
Council, ix.,
338.

Ordered that a new Impression thereof be made with all convenient Speed wherein all such Laws as are repealed or expired shall be left out & a proper Index calculated for the Whole annexed; That Addington Davenport Esq^r with such as the Hon^{ble} Board shall join be a Comm^{tee} to supervise the Laws for that End, & Agree for the Impression on the best Terms they may, Each Town of the Province & Member of the present Court to be furnished with a Book at the publick Charge: Read & Concur'd & the Secretary & Penn Townsend Esq^r joined to be of the Comm^{tee} for the Affair afores^d. [*Passed November 5.*]

Post, chap. 152.

CHAPTER 119.

RESOLVE FOR ISSUING OF £.7000, IN BILLS AND PROVIDING A FUND FOR SECURITY.¹

Resolved that the Treasurer be & hereby is Directed & Impowered to issue forth & Emit the Sum of Seven Thousand Pounds of the Bills of Publick Credit on this Province that are or shall be received into the Treasury towards Payment of the publick Debts of this Province already contracted, & the further necessary Charge for the Supplying & Subsisting of Forts & Garrisons & Forces raised & employed within the same & Wages arising for their Service, for Payment of Grants Salaries & Allowances made & to be made by this Court, According to such Draughts as from Time to Time shall be made upon him by

Legislative
Records of the
Council, ix.,
339.

Ante, chap. 102.
Post, chap. 130.

¹ Printed in the notes to the Acts of the year 1713-14, Province Laws, i., 733; reprinted here, as important.

Warrant or Order of the Govern^r by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein express'd, equivalent to Money, And shall be taken & Accepted in all Publick Payments at the Advance & after the Rate of five Pounds per Cent. more: And that the Duties of Impost & Excise shall be a Fund & Security for the Repayment & Drawing in of the said Bills to the Treasury again, so far as that will reach.

And as a further Fund & Security for the same, & for Defraying of the further necessary growing Charge of the Province & Support of the Govern^t thereof, There be & hereby is granted unto her most Excellent Majesty for the Ends & Uses afore said a Tax of Seven Thousand Pounds, Six Thousand Pounds thereof to be levied on Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the sev^l Towns & Districts within the same as shall be Agreed on & Ordered by the Great & Gen^l Court or Assembly of this Province at their Session in May Anno 1718: And the other Thousand Pounds at their Session in May 1719: To be paid in to the Treasurer Six Thousand Pounds thereof on or before the last Day of May Anno 1719; And the other Thousand Pounds on or before the last Day of November next after. [*Passed November 6.*]

CHAPTER 120.

VOTE ACCEPTING THE COMM^{TEES} REPORT ABOUT FITTING OUT THE PROV. GALLEY FOR Y^E EXPEDITION TO CANADA; £.1503, 5, 8, TO BE P^d BY Y^E PROVINCE.

Legislative
Records of the
Council, ix.,
340.

Ante, chap. 61.
Legislative
Records of the
Council, ix.,
328.

THE FOLLOWING REPORT accepted by y^e House of Repres^{ves} Read & Concur'd: Viz,

Pursuant to the Order of Court appointing us a Committee to Consider of Cpt. Cyprian Southacks Petition & make Report thereon; We sent for Cpt. Southack, Who attended us with the Accompts & Papers relating thereto, W^{ch} we have examined & considered & find that a Company of British Marines were born of the Province Galley for a considerable Time, By which M^r Clarks Bill of Victualling is much augmented;

We have therefore made a Computation of the Cost of Victualling the said Ship exclusive of the said Marines & agreeable to the Muster Roll, which the said Southack has made up of the Sailors only, whose Wages have been paid by this Province, W^{ch} is herewith humbly offered Amounting to the Sum of

£.384. 15. 4.

Part of which Sum; Viz,

63. 14. 8.

was paid to Cpt. Southack by this Province for Victualling after M^r Clarks Supply was expended, & is therefore to be subtracted.

So that the Sum Remaining for Victualling is

£.321. —. 8.

And here we think it proper to Remark that We find seventy nine Men in the Muster Roll, Whereas it was designed by the Committee for Transports that she should carry but Forty Men besides a Company of Soldiers intended to have been embarked on her if she had been here, when the Expedition proceeded, And then the Charge of Victualling would have been considerably less.

We have also considered Mr Faneuils Accompt of Fitting the said Ship, Amounting to the Sum of	£.1444. 15. —.
And we are humbly of Opinion that in the Article of Labourers upon her there is overcharged £.100:	} £.262. 10. —.
And in the other Articles of Painting Commissions Boat Hire &c contained in a particular Accompt herewith exhibited so much as Amounts in all to the Sum of £.262. 10: To be subtracted out of the said Faneuils Bill	
So that there remains	£.1182. 5. —.
	321. —. 8.
	£.1503. 5. 8.

Which added to the above said Sum of Victualling makes the Sum of Fifteen Hundred & three Pounds five Shillings & eight Pence, W^{ch} her Fitting & Victualling might possibly have cost this Province, If she had proceeded in the Expedition under Admiral Walker, & born seventy nine Sailors & fitted as aforesaid; But we think our selves obliged further to remark that Admiral Walker upon his Arrival here, sent out his Orders by Cpt. Matthews in the Chester Man of War to Cpt. Pickering Commander of the said Galley then at Sea to convoy some British Transports to New York which he obeyed, And the said Galley was thereby hindered from Coming into Port, & Fitting to proceed under Command of Cpt. Southack as Pilot to the Fleet, W^{ch} was the only Service directed by her Majesties Royal Instructions to be done by the said Ship, And the Laying of her Deck with the other Fitting & Victualling was all begun some Time after the Fleet departed from hence on the said Expedition, by Agents appointed by Admiral Walker, He having left his Orders with Cpt. Southack for that End, And Admiral Walker said the Day he sailed (as we are credibly informed) That both her Fitting & Victualling should be paid by y^e Queen. That we can not say that the Charge of her Fitting & Victualling can in Strictness be demanded & required of this Province; But as this Government have alwaies express'd a forward Zeal for her Majesties Service in that & the former Expeditions; So we humbly offer as our Opinion in Deference to her Majesties Royal Commands, for that Ship to be employed for that Service as afore said that the Sum of £.1503. 5. 8. to be paid by this Province in full of all Demands on the said Accompt: W^{ch} we apprehend to be considerably more than it would have Cost, If her Fitting & Victualling had been done by the Order & Officers of this Govern^t W^{ch} is humbly submitted, By Order of the Comm^{tee}

EL^M HUTCHINSON.[*Passed November 6.*]

CHAPTER 121.

RESOLVE ALLOWING £.250, TO HIS EXC^Y. THE GOV^R.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain Gen^l & Govern^r in Chief of this her Majesties Province, for his Support in Managing the Affairs of the Govern^t. [*Passed November 9.*]

Legislative
Records of the
Council, ix.,
342.

Ante, chap. 69.
Legislative
Records of the
Council, ix.,
342.

CHAPTER 122.

RESOLVE ALLOWING £.80, TO Y^E HON^{BLE} ISA^A ADDINGTON ESQ^R.

Legislative
Records of the
Council, ix.,
342.

Resolved that the Sum of Eighty Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} Isaac Addington Esq^r for his extraordinary Service for this Province for the Year Curr^t. [*Passed November 9.*]

CHAPTER 123.

RESOLVE ALLOWING £.200, TO THE HON^{BLE} ANDREW BELCHER ESQ^R COMMISSARY GEN^{LL}.

Legislative
Records of the
Council, ix.,
343.
Post, chap. 127.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} Andrew Belcher Esq^r Commissary Gen^{ll} for his good Service in the said Office the Year past, Ending the nineteenth Day of August last. [*Passed November 9.*]

CHAPTER 124.

RESOLVE ALLOWING £.30, TO M^R JOHN WHITE.

Legislative
Records of the
Council, ix.,
343.

Resolved that the Sum of Thirty Pounds be further allowed & paid out of the Publick Treasury to M^r John White Clerk of this House for his Service in the Year Currant. [*Passed November 9.*]

CHAPTER 125.

RESOLVE ALLOWING £.10, TO SAM^{LL} MAXWELL.

Legislative
Records of the
Council, ix.,
343.

Resolved that the Sum of Ten Pounds be further allowed & paid out of the Publick Treasury to M^r Samuel Maxwell Door keeper to this House &c in Part of his Allowance of Forty Pounds, Which he is to have for the Year Currant. [*Passed November 9.*]

CHAPTER 126.

RESOLVE ALLOWING £.3¹¹ 5, TO CPT. HOW.

Legislative
Records of the
Council, ix.,
343.

Resolved that the Sum of Three Pounds & five Shillings be allowed & paid out of the publick Treasury to Thomas How Esq^r for the Use of the above Comm^{tee} in the Proportion above written on the Accompt presented of Survey of Nashoba Lands. [*Passed November 9.*]

CHAPTER 127.

ORD^R FOR Y^E COMMISS^V GEN^{LL} TO SUSTAIN Y^T OFFICE TILL 9TH OF
FEBR^V NEXT COMING.

Ordered that M^r Commissary Gen^{ll} Belcher be desired to continue in his Office till the nineteenth Day of February next, & in the mean Time to adjust & settle all publick Accompts which concern him that so that¹ Office may determine at that Time. [*Passed November 9.*]

Legislative
Records of the
Council, ix.,
343.

Ante, chap. 123.
Post, chap. 151.

CHAPTER 128.

ORDER DIRECTING THE COMM^{TEE} TO DISPOSE OF Y^E PROV. GALLY &
SLOOP.

Ordered that the Committee appointed to dispose of the Province Galley be desired to do it as soon as conveniently may be, either with or without her Guns as they shall think best; And there being no further Occasion for the Sloop Ann, that they be impowered to sell her & all her Appurtenances; The Commissary Gen^{ll} from this Time to take her into Custody to prevent further Charges. [*Passed November 9.*]

Legislative
Records of the
Council, ix.,
343.

Ante, chap. 85.

CHAPTER 129.

ORDER IMPOWERING JN^O & MARY PERKINS TO SELL A HOUSE & LAND.

UPON READING a Petition of John Perkins & Mary his Wife, some Time Widow & Administratrix of the Estate of Duncan Mac-Farland Deceased, together with the Request of Duncan Mac-Farland & Mary Mac-Farland, the two Children of the afore-named Duncan-Mac-Farland being Minors within Age, Praying that the said John & Mary Perkins in Behalf of the said Minors may be impowered to make Sale of a small Dwelling House & Land scituat^e in School Street in Boston, Part of the Estate left by the said Dec^d & much out of Repair;

Ordered that the Prayer of the Petition be granted, And the Petitioners are impowered to make Sale of the said House & Land mentioned to the best Advantage they can on Behalf of the Minors, & to Execute a DEED of Sale of the same; And that they accompt with the Judge of Probate for the Purchase Money to be paid for the same And that he thereupon proceed to the Distribution thereof as the Law directs. [*Passed November 10.*]

Legislative
Records of the
Council, ix.,
343.

CHAPTER 130.

ORDER FOR TWO NEW PLATES & IMPRINTING OF £.10000, IN BILLS &
ADDIN: DAVENPORT ESQ^R ADDED TO THE COMM^{TEE}.²

Ordered that Addington Davenport Esq^r be added to the Committee that made the last Bills of Publick Credit on this Province, And they be desired to procure two new Plates & four Bills to be Engraven on

Legislative
Records of the
Council, ix.,
344.

¹ *Sic*; "that so that" for (it seems) "as that."

² Printed in the postscript to Province Laws, i., 902; reprinted here, as important.

Ante, chap. 119.
Post, chap. 133.

each of them of such Sums as they with the Treasurer shall think to be most convenient ; That they make the Sum of Ten Thousand Pounds of Bills off from the said two Plates, as expeditiously as may be, Each Bill to be sign'd by four at least of the Committee, And deliver them to the Treasurer taking his Receipt for them ; Who is hereby directed & impowered to issue them out in Exchange, for the Ten Shilling & Three Shilling & six Penny Bills, W^{ch} this Court have ordered to be called in & Exchanged : The Committee to be paid for the Making these Bills as for the last they made. [*Passed November 10.*]

CHAPTER 131.

ORDER REMITTING TO HENRY DEWICK THE DUTY FOR A NEGROE IMPORTED.

Legislative
 Records of the
 Council, ix.,
 344.

UPON READING a Petition of Henry De-Wick of Barbados, Praying for a Remission & Release from the Duty for a Negroe, by him imported in June last, W^{ch} was sick & died within a few Days over six Weeks after her Arrival ;

Ordered that the Prayer of the Petition be granted. [*Passed November 10.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TENTH DAY OF FEBRUARY, A.D. 1713.

CHAPTER 132.

ORDER APPOINTING A COMMITTEE TO CONSIDER OF A PLACE FOR BROOKLIN MEETING HOUSE.

UPON READING a Petition of sundry Free-holders & Inhabitants of the Town of Brooklin, Praying that a Committee may be appointed to visit & view the Town & Consider its Scituation & Circumstances & Report the Place they think most suitable, for Erecting a Meeting House for the Publick Worship of God;

Legislative
Records of the
Council, ix.,
347.

Ante, chap. 34.
Post, chap. 157.
Legislative
Records of the
Council, State
Library copy,
ix., 298.

Ordered that Penn Townsend Andrew Belcher & Edward Bromfield Esq^{rs} of the Council, With Thomas Oliver Esq^r Cpt. Thomas Hutchinson Edmund Quincey Esq^r & M^r Thomas Ward joined to them by the House of Representatives be a Committee to repair to Brooklin appointing the Inhabitants Time & Place to attend. them, And upon Hearing of the Matter set forth in the Petition to Consider of & Report the most convenient Place in their Judgement for the Setting up a Meeting House. [*Passed February 11.*]

CHAPTER 133.

ORDER FOR PAYMT TO THE COMMITTEE FOR BILLS.

THIS COURT having Ordered at their last Session six Persons to be a Committee for Making a Sum of Bills of Credit on this Province, And directed that four of them at least should sign each Bill;

Legislative
Records of the
Council, ix.,
348.

Ordered that the said Committee be paid for their Service in the same Proportion, as the Committee were paid when there was but five & &¹ three of them signed the Bills. [*Passed February 12.*]

Ante, chap. 130.

CHAPTER 134.

ORDER IMPOWERING SARAH BOLTWOOD &c TO SELL LAND.

UPON READING a Petition of Sarah Boltwood Relict of Samuel Boltwood Dec^d & her Son Samuel Boltwood Administ^{rs} of the Deceaseds Estate, As also their Son in Law Nath^l Kellog, Praying to be Impowered to confirm by Deed of Sale to the said Nath^l Kellog his Heirs &

Legislative
Records of the
Council, ix.,
349.

¹ *Sic.*

Assigns a certain Parcel of Land scituate in Hadley bargain'd for by the Dec^d in his Life Time.

Ordered that the Prayer of the Petition be granted, And the Ad-
minist^s be & hereby are fully impowered to sign seal & deliver to
the Vendee a good & sufficient Deed in the Law for Conveying &
Confirming the Lands within mentioned to be purchased to him his
Heirs & Assigns for Ever. [*Passed February 12.*]

CHAPTER 135.

Legislative
Records of the
Council, ix.,
349.

ORDER FOR LAYING OUT 1000 ACRES OF LAND TO ELISHA HUTCHINSON
& IS^A ADDINGTON ESQ^{RS} BY JN^O CHANDLER ESQ^R. [*Passed February 13.*]

Ante, chap. 82.
Post, chap. 136.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 136.

Legislative
Records of the
Council, ix.,
350.

VOTE ACCEPTING REPORT OF THE COMMITTEE FOR STATING THE PAR-
TITION LINE BETWIXT THIS GOVERN^T & Y^E COLONY OF CONNECT-
ICUT. [*Passed February 13.*]

Ante, chap. 135.
Post, chap. 139.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 137.

Legislative
Records of the
Council, ix.,
351.

ORDER OF CONFIRMATION OF LAND TO JOSHUA LAMB, &c FOR A TOWN
TO BE CALLED LEICESTER. [*Passed February 15.*]

Post, chap. 140.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 138.

ORDER CONFIRMING A DEFECTIVE DEVISE, ON THE PETITION OF JAMES
AND BENJAMIN BABBAGE.

Legislative
Records of the
Council, ix.,
352.

UPON READING a Petition of James Babbage & Benjamin Babbage
surviving Sons of Elisabeth Babbage late of Boston Widow Dec^d
Setting forth that their said Mother Elisabeth Babbage, by her great
Diligence Pains & Industry whilst a Widow & sole acquired a Sum
of Money wherewith she purchased a small House & Land, And some
Time before her Death by an Instrument in Writing under her Hand
& Seal, bearing Date the twenty ninth Day of June 1711: Witness'd
& Acknowledged did dispose & settle the said House & Land upon
her three Sons, Viz, John Davis her Son by her first Husband & the
Petitioners after her Decease, to be equally divided among them or
either of them that shall be then living; John Davis the Eldest Son
having been absent beyond Sea for Upwards of seven Years past, &

is supposed to be dead, But for as much as thrô the Ignorance of the Scrivener the said Instrument or Writing is unskilfully drawn & deficient as to the Forms of Law, W^{ch} may Occasion Contest & Trouble, their said Mother having also left three Daughters, W^{ch} are grown up & otherwise provided for by her, Praying that upon View of the said Instrument such Act or Order may be pass'd by this Court for Declaring & Making the same good & effectual in Law for the Holding & Enjoying the said House & Land according to the true Intent & Meaning of the Donor, The Defects therein notwithstanding;

The three Daughters having been served with a Copy of y^e Petition, & not Attending;

Ordered that the Instrument therein refer'd to, being duly Executed & Acknowledged as the Law directs do remain & abide in full Force & be effectual in the Law for confirming the House & Land therein mentioned as a good Estate of Inheritance to the Grantees named therein & their Heirs for Ever the Defects & Want of Form in the Instrum^t notwithstanding. [*Passed February 16.*]

CHAPTER 139.

ORDER ALLOWING £78^{..} 14^{..} 5, TO Y^E RIDING COMMISS^{rs} FOR STATING Y^E LINE WITH CONNECTICUT.

AN ACCOMPT of the Charge & Expende of the Riding Commissioners for the Stating & Settling of the Partition Line betwixt this Province & the Colony of Connecticut, Amounting to Ninety Eight Pounds fourteen Shillings & five Pence, Whereof Twenty Pounds before advanced; Sent up from the House of Represent^{ves} with their Resolve thereon; Read & Concur'd; Viz,

Resolved that the Sum of Seventy eight Pounds fourteen Shillings & five Pence be allowed & paid out of the publick Treasury to the Hon^{ble} Samuel Patridge Esq^r to discharge the said Accompt. [*Passed February 16.*]

Legislative
Records of the
Council, ix.,
353.

Ante, chap. 136.
Post, chap. 142.

CHAPTER 140.

ORDER FOR LAYING OUT LEICESTER TOWNSHIP. [*Passed February 16.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
353.

Ante, chap. 137.

CHAPTER 141.

VOTE APPOINTING APPRIZERS OF A PIECE OF LAND UPON THE PETITION OF SAMUEL SHRIMPTON.

THE FOLLOWING ORDER upon the Petition of Samuel Shrimpton of Boston Mariner for an Apprizement to be made of a Piece of unbuilt Land in Boston pass'd in Council, Concur'd to by the Representatives; Viz,

No Person appearing upon the Citation issued the twelfth Currant;
Ordered that Samuel Lynde Esq^r Mess^{rs} Richard Draper & Ezekiel Lewis be appointed & impowered a Committee to make a due Ap-

Legislative
Records of the
Council, ix.,
353.

prizem^t of the Land mentioned in the Petition, And make Return of the just Value thereof, In the best of their Judgements upon Oath: And that the Wife of George Calender (now Everenden) be paid the lawful Interest of one Third of the Apprized Value yearly, in Lieu of her Dower therein. [*Passed February 16.*]

CHAPTER 142.

RESOLVE ALLOWING £.12^u 19^u 6, TO SAM^{LL} THAXTER ESQ^R.

Legislative
Records of the
Council, ix.,
353.

Ante, chap. 139.

THE FOLLOWING RESOLVE upon the Accompt of Samuel Thaxter Esq^r Surveyour of Charge for Running the Province Line from Accord Pond to Angle Tree, Pass'd in the House of Representatives; Read & Concur'd; Viz,

Resolved that the Sum of Twelve Pounds nineteen Shillings & six Pence be allowed & paid out of the publick Treasury to Samuel Thaxter Esq^r to discharge the said Accompt. [*Passed February 16.*]

CHAPTER 143.

VOTE APPROVING PROPOSALS FOR DIVIDING SALISBURY INTO TWO PARTS. [*Passed February 16.*]

• Legislative
Records of the
Council, ix.,
354.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 144.

ORDER APPOINTING A COMM^{TTEE} FOR RUNNING THE WESTERLY LINE OF ROCHESTER. [*Passed February 16.*]

Legislative
Records of the
Council, ix.,
354.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 145.

VOTE ACCEPTING THE REPORT OF Y^E COMM^{TTEE} FOR CHARGE OF BUILDING Y^E TOWN HOUSE.

Legislative
Records of the
Council, ix.,
355.

THE REPORT of a Committee appointed at the last Session to Examine & Audit the Accompts of the Charge of Building the Town House & to see the Vouchers: Accepted by the House of Represent^{ves} Read & Concur'd; And is as follows; Viz,

Boston Febr^y 15. 1713. PURSUANT to the Order of the Hon^{ble} Court, We have examined the afore said Accompts, & find them right east & well vouched, & that the whole Cost of the House, (taking in the Sum of Twenty two Pounds two Shillings & ten Pence paid towards Finishing &c, since the Accompt was laid before the Court) Amounts to the Sum of Five Thousand one Hundred & Fourty two Pounds, eighteen Shillings & ten Pence; The Half belonging to the Province to pay

is Two Thousand five Hundred & seventy one Pounds nine Shillings & five Pence, Whereof, Two Thousand & five Hundred Pounds is paid, And the Ballance remaining due from the Province is the Sum of Seventy one Pounds nine Shillings & five Pence, W^{ch} we are of Opinion should be paid to the Comm^{tee} accordingly, And that they receive the Thanks of this Court for their good Service: Andrew Belcher, Edw^d Bromfield John Burrill Tho: Cushing, Tho. Hutchinson, Mich. Gill. [*Passed February 17.*]

CHAPTER 146.

ORDER ON COMPLAINT OF OXFORD SELECT MEN OF A TRESPASS.

THE FOLLOWING ORDER pass'd upon the Petition & Complaint of the Select Men of Oxford;

Legislative
Records of the
Council, ix.,
355.

The Select Men of Oxford setting forth in their said Petition & Complaint That a few Weeks since one Samuel Jones of Concord pretending him self a Surveyour came up into our Town & went down towards Chaubunnagungamug Pond into the Midst of the surveyed Lands granted by the General Assembly & in their as well as our peaceable Possession, And there mark'd Trees & drew Lines Con founding all the Surveys that have been made above thirty Years & peaceably possessed; Praying that a Stop may be put to such injurious Proceedings &c, And the said Jones & others debar'd from such illegal Proceedings for the Future:

Declared that no Survey of Land in the Wast of this Province without a previous Grant of the Gen^l Assembly, & Direction to survey the same accordingly is available in the Law, And the Petitioners are referred for Remedy for the Trespass committed upon them to the Common Law. [*Passed February 17.*]

CHAPTER 147.

ORDER DISMISSING A PRESENTMENT ON PETITION OF Y^E SELECT MEN OF WENHAM.

IN ANSWER to the Petition of the Select Men of Wenham, Complaining of an unjust Presentm^t Prosecution & Judgem^t thereupon given against them in the Court of Gen^l Sessions of the Peace holden at Salem in the County of Essex in December 1712; for Refusing to take Notice of & Enter the Choice made of Thomas Patch as a Representative for the said Town of Wenham in the Year 1712: & to Return the Precept for that Purpose accordingly.

Legislative
Records of the
Council, ix.,
355.

Legislative
Records of the
Council, ix.,
348.

Ordered that the Presentm^t therein mentioned be dismist, & the Petitioners discharged without Paying Costs, The Law having made this House the sole Judges of the Elections & Qualifications of their Members. [*Passed February 17.*]

CHAPTER 148.

ORDER ESTABLISHING A PRECINCT AT LONG MEADOW. [*Passed February 17.*]

Legislative
Records of the
Council, ix.,
356.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 149.

ORDER ESTABLISHING SWAMPFIELD A NEW TOWNSHIP. [*Passed February 17.*]

Legislative
Records of the
Council, ix.,
356.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 150.

ORDER ACCEPTING THE COMMITTEE'S REPORT UPON THE ACC^{TS} OF
ANDREW BELCHER ESQ^R COMMISS^Y GEN^{LL}.

Legislative
Records of the
Council, ix.,
358.

THE FOLLOWING ORDER upon the Accompts of Andrew Belcher Esq^r Commissary Gen^{ll} Pass'd in the House of Represent^{ves} Read & Concur'd; Viz,

Ante, chap. 100.
Executive
Records of the
Council, vi.,
145.

We the Subscribers appointed by the House of Represent^{ves} a Committee to examine & audit the Accompts of Andrew Belcher Esq^r Commissary Gen^{ll} have attended that Service & Examined his Accompts from the fourth Day of August last to the tenth Day of February Currant And find them right east & well avouched, And that on the said tenth Day of February, There is due from the Province to the said Andrew Belcher the Sum of Two Hundred & three Pounds eighteen Shilling & three Pence one farthing, As was reported by the Committee of the Council

Boston Febr. 17. 1713.

EDMUND QUINCEY
JOSEPH ELLIS

THO: HUTCHINSON } Comm^{tee}
THO: FITCH

Ordered that the above Report be accepted, And the Commissary Gen^{ll} be discharged accordingly, And the Thanks of this Court given him for his good Service in that Office. [*Passed February 18.*]

CHAPTER 151.

RESOLVE ALLOWING £.100. TO AND. BELCHER ESQ^R COMMISSARY GEN^{LL}
WITH AN ORDER TO DISPOSE OF THE STORES.

Legislative
Records of the
Council, ix.,
358.

Resolved that the Sum of One Hundred Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} Andrew Belcher Esq^r Commissary Gen^{ll} for his good Service in that Office the last Half Year, Expiring the nineteenth Currant: And that he be desired to make Sale of the publick Stores Remaining in his Custody to the best

Ante, chap. 127.
Executive
Records of the
Council, vi.,
139, 145.

Advantage, Paying the Produce thereof to the Treas^r Excepting the Arms & Ammunition to be reserved as Province Store. [*Passed February 18.*]

CHAPTER 152.

ORDER FOR DISPOSAL OF THE NEW IMPRESSION OF Y^E LAWS, WITH ALLOW^A OF £.30, TO THE COMM^{TEE}.

Ordered that the Law Books which this Court directed at their last Session to be imprinted for each Town in this Province & Member of this Court, when finished & bound up be lodged in the Hands of Addington Davenport Esq^r to be delivered out according to the Vote of the Court: And that so many Books as shall be delivered as afore said more than the Number the Comm^{tee} appointed to take Care of the Impression are to have of the Book-Seller for the Privilege of Printing the Laws, shall be paid for out of the publick Treasury:

Legislative
Records of the
Council, ix.,
358.

Ante, chap. 118.

And that the said Committee be paid for their Service when completed the Sum of Thirty Pounds. [*Passed February 19.*]

CHAPTER 153.

RESOLVE IN EXPLANATION OF THE ORDER RELATING TO TAUNTON NORTH PURCHASE. [*Passed February 19.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
359.

Ante, chap. 83.

CHAPTER 154.

ORDER OF HEARING ON JOS. SHERMANS PETITION IN REGARD TO A CAUSE TRIED IN THE SUPERIOR COURT.

UPON READING a Petition of Joseph Sherman of Watertown, Praying to be Enabled to have a Hearing of a Cause formerly tried in the Superior Court of Judicature betwixt Martha Bowman & the Petitioner;

Legislative
Records of the
Council, ix.,
359.

Ordered that the Petitioner Cause the adverse Party to be served with a Copy of this Petition in Order to have a Hearing before this Court on the second Thursday of their Session in May next, And that in the mean Time she do not dispose or Make Sale of any more of the Lands mentioned in the Petition to be recovered by her. [*Passed February 19.*]

Mass.
Archives, xl.,
867.

CHAPTER 155.

ORDER ACCEPTING REPORT OF Y^E COMM^{TEE} UPON SAM^{LL} STEVENS PETITION.

THE REPORT of a Committee appointed the thirtieth of May last to Enquire into the Truth of the Matter set forth in a Petition then presented by Samuel Stevens of Gloucester, as follows; Viz,

Legislative
Records of the
Council, ix.,
359.

Ante, chap. 4.

In Obedience of the above said Order on the sixteenth Day of this Instant December, We had a Meeting of the two Widows of M^r David & M^r Jonathan Stevens, & have made Enquiry into the Truth of the Matter set forth in the within Petition, the Administrator being present; And we cannot find that there has been any Relief made to the Widow for near these seven Years last past, So that there is a Necessity of Making Sale of some of the Estate for the Relief of the Widow, And we conceive that the House & Homestead together with two Lotts of Land lying next to Ipswich Line may be best to be sold & least Prejudice, And the Income or Produce of said Lands to be lett out for the Relief of the Widow for the Future, besides what has been already necessarily expended for her Relief the Time past:

JOHN NEWAN
JAMES PARSONS

Dated at Gloucester Dec. 25. Anno Dom : 1713.

Read &

Ordered that the Report of the Committee be accepted And that the Petitioner be impowered to make Sale of the Housing & Lands mentioned in the Report. [*Passed February 19.*]

CHAPTER 156.

ORDER ACCEPTING THE COMM^{TEES} REPORT ABOUT Y^E DUTY OF LUMBER,
& VOTE FOR AN ADDRESS.

Legislative
Records of the
Council, ix.,
360.

REPORT of a Committee appointed to Consider of a Proposal for Addressing for Taking off the Duties on Lumber from y^c Plantations; Viz,

The Committee having considered the Proposals within mentioned are of Opinion, That M^r Agent Dummer be desired or directed to use his best Endeavours to obtain the Taking off the Duties on Boards Staves & other Timber from the Plantations imported into Great Britain, As also for Liberty to send Lumber & Hops to Ireland inserting those Arguments within mentioned & what further may be thought proper to induce the Granting thereof: p Ord^r of the Comm^{tee}

EL^a HUTCHINSON

Read & Accepted in Council, And that an Address go from this Court upon that Subject: Concur'd by the Represent^{ves}. [*Passed February 20.*]

CHAPTER 157.

VOTE ACCEPTING THE COMM^{TEES} REPORT ABOUT THE PLACE FOR
BROOKLYN MEETING HOUSE.

Legislative
Records of the
Council, ix.,
361.

REPORT of the Committee appointed upon the Petition of Brooklyn to consider of the most convenient Place for the Setting up a Meeting House; Viz,

Ante, chap. 132.

In Obedience to the above written Order, We have been at Brooklyn & viewed the sev^l Places proposed by the Inhabitants for the Setting up a Meeting House & heard the Inhabitants upon it; And are unanimously of Opinion, That the Piece of Ground between the School House & M^r Caleb Gardners Dwelling House, W^{ch} the said Gardner hath given to the Town for that End, & where some of the Timber for it already

lies is the most convenient Place for Erecting the said Meeting House,
W^{ch} is humbly submitted

In the Name & Behalf of the Committee,

PENN TOWNSEND.

Read & Accepted in Council, The Town to bear the Charge that
hath arisen on this Affair: Concur'd by the Represent^{ves}. [*Passed*
February 20.

CHAPTER 158.

ORDER OF HEARING ON EDW^d THOMAS'S PETITION FOR REDEMPTION OF A MORTGAGE BY PROCEEDINGS IN EQUITY.

UPON READING a Petition of Edward Thomas of Boston Merch^t Setting forth that in the Month of October 1706: he mortgaged a certain Brick Messuage or Tenement & Land with the Appurtenances to Andrew Belcher Esq^r Who for Default of the Payment of the Consideration Money in the Mortgage, sued out the same & levied Execution upon the said Messuage &c And got into Possession thereof And assign'd the same over to Joseph Dowding of Boston Merchant in the Month of June 1710, Whereupon the Petitioner according to the Direction of the Law of the Province for the Redemption of Mortgages about the Beginning of October 1712, Carried to & tendered at the House of the said Joseph Dowding the whole of the Principal, Interest & Charges due upon the said Mortgage, W^{ch} he refusing to accept of, the Petitioner brought forward a Petition to the Inferiour Court of Common Pleas in the said Month of October &c, And in January Inferiour Court last brought on his Suit in Equity for Redemption of the Premises mortgaged as afore said the second Time, but was dismiss'd without any Relief &c: And his Time for Redemption by the Law being now expired, Praying that he may be allowed & impowered to bring forward his Suit in Equity for the Redemption of the Estate according to the Direction of the Law at the next Inferiour Court of Pleas to be holden at Boston &c, & so at the Superiour Court, in Case there be an Appeal untill the Matter be finally issued & determined;

Legislative
Records of the
Council, ix.,
361.

Joseph Dowding having been served with a Copy of this Petition; & heard what he hath to say Why the Prayer thereof should not be granted;

Ordered that the Petitioner be impowered to have a Hearing of the Case mentioned therein to Effect in the next Court & Courts of Law proper to hear the same, The Time being Elapsed notwithstanding.

[*Passed February 22.*

CHAPTER 159.

ORDER ON ABRA. ADAMS PETITⁿ FOR GEO. THURLA, IMPOWERING HIS WIDOW TO DEFEND AN APPEAL FROM A JUDGMENT.

UPON READING a Petition of Abraham Adams Guardian to George Thurla a distracted Person late Dec^d Praying that a Power may be granted to him self or to the Administ^r to defend an Appeal made from a Judgem^t recovered by him in his Capacity afore said at the Inferiour Court within the County of Essex:

Legislative
Records of the
Council, ix.,
362.

Executive
Records of the
Council, vi., 97.

Ordered that the Widow & Administ^r of the Dec^d be impowered to Carry on the Suit therein mentioned to Effect, thrô the Courts of the Law in Behalf of her self & the Children of her late Husband Dec^d His Death intervening pending the Suit notwithstanding. [*Passed February 22.*]

CHAPTER 160.

ORDER REVIVING A GRANT ESTABLISHING NORTHFIELD TOWNSHIP.
[*Passed February 22.*]

Legislative
Records of the
Council, ix.,
362.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 161.

RESOLVE ALLOWING W^m TAILER ESQ^r £.45.

Legislative
Records of the
Council, ix.,
363.

UPON READING a Remonstrance & Petition of Coll. William Tailer Esq^r Setting forth that he had the Honour of Commanding a Regiment of the Troops raised in this Province in the Reduction of Nova Scotia by Vertue of her Majesties Commission, That upon the Success & Return of the Troops he had forty five Pounds allowed him, as appears by the Muster Roll, Humbly Requesting that that Sum may be allowed him as a Gratuity from the Province, & not under the Head of Pay, Altho he acquits the Province from any Demand on that Accompt, the better to Enable him to solicit her Majesties Favour for an Allowance upon the Foot of that Commission;

Resolved that the Request of the within Remonstrance or Petition be granted, And that the Treasurer note on the Muster Roll, That the Sum there is not to be drawn. [*Passed February 23.*]

CHAPTER 162.

ORDER ALLOWING SIX MONTHS ADVANCE OF MONEY TO CPT. TUTHILL FOR PROVISIONS FOR Y^e GARRISON AT CASTLE W^m.

Legislative
Records of the
Council, ix.,
363.

Ante, chap. 103.

UPON READING a Motion or Petition of Cpt. Zeehariah Tuthill Victualler of the Garrison at her Majesties Castle William, Praying that he may be allowed six Months Advance at the Beginning of every six Months Accompt, according to the Allowance for Victualling & the Number of Men from Time to Time, Commencing from the first of January last past, for as much as the Season for Buying Provisions alwaies requires nine Months Provisions in Store.

Ordered that the Prayer of the Petition be granted, Provided the Petitioner give his Obligation to the Province Treasurer that the Money so advanced or the Provisions bought therewith or so much as hath not been made Use of be return'd to him or Order, in Case of the Removal of the Petitioner from his Office by Death or otherwise. [*Passed February 23.*]

CHAPTER 163.

RESOLVE ADDING £.40, TO THE ALLOWANCE OF THE REV^d M^r JOHN LEVERET.

Resolved that the Sum of Forty Pounds be added to the Allowance of the Rev^d M^r John Leveret President of Harvard College for the Year Curr^t & paid out of the publick Treasury, In Consideration of the extraordinary Scarcity & Dearness of Provisions & other Necessaries of House-keeping. [*Passed February 23.*]

Legislative
Records of the
Council, ix.,
364.

CHAPTER 164.

RESOLVE ALLOWING £.10, TO CPT. SAM^{ll} PHIPS.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to Cpt. Samuel Phips for his Service as Clerk of the Comm^{tee} formerly appointed to receive Claims of Lands in the Eastern Parts of this Province, His Book of Entries being delivered to the present Comm^{tee}. [*Passed February 23.*]

Legislative
Records of the
Council, ix.,
364.

CHAPTER 165.

RESOLVE ORDERING A SURVEY FOR A TOWN AT SACO, AND FOR PRINTING THE RESOLVES FOR SETTLING Y^e EASTERN COUNTRY.
[*Passed February 23.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishs, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
364.

Ante, chap. 112.

CHAPTER 166.

ORDER APPOINTING A COMMITTEE ON NEWTOWN PETITION IN REGARD TO A MEETING HOUSE.

UPON READING a Petition of the Select Men of Newtown Setting forth that some of the Inhabitants in the Southern Part of their Town are actually preparing to build a Meeting House for the publick Worship of God in that Part, Notwithstanding what this Court hath advised to, W^{ch} will be greatly detrimental to the Peace to the whole Town; Praying that a Stop may be put to their Proceeding:

Ordered that Penn Townsend & Andrew Belcher Esq^{rs} of the Council, Addington Davenport, Edmund Quincey & Daniel Parker Esq^{rs} M^r William Denison & Cpt. Michael Gill of the Representatives be a Committee to whom this Petition is referred & that they sit forthwith & Report their Opinion, What they think proper to be done by this Court thereon: Report of the Committee:

The Committee are of Opinion that the within named John Kenrick, Jonathan Hides, Edward Ward & Eliezar Ward, & the other Inhabitants concerned in Preparing to build a New Meeting [house] as is within mentioned be served with a Copy of this Petition in Order to

Legislative
Records of the
Council, ix.,
365.

Ante, chap. 16.
Executive
Records of the
Council, vi.,
174.

their Making an Answer to the same on the second Wednesday of the Sessions of this Court in May next, And they be in the mean Time enjoyned to desist from going on with the said Building: Read & Accepted in Council, And Concur'd by the Representatives. [*Passed * February 23.*]

CHAPTER 167.

Legislative
Records of the
Council, ix.,
365. Mass.
Archives,
ccxliii., 35.

Ante, chap. 6.

VOTE ACCEPTING THE COMMITTEE'S REPORT UPON THE WESTFIELD PETITION FOR AN ADDITIONAL GRANT. [*Passed February 23.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 168.

ORDER ON THE PETITION OF KATHERINE NANNY ALIAS NAYLOUR IN REGARD TO HER SUPPORT.

Legislative
Records of the
Council, ix.,
366.

Ante, chap. 87.

IN ANSWER to the Petition of Katherine Nanney alias Naylour Relict of her former Husband Robert Nanney Dec^d presented at the last Session therein Setting forth that she has been blind for near fifteen Years past & labours under the Infirmities of Old Age, & has been at great Expence for her necessary Support, & must now perish without some better Relief than is provided for her by her said late Husbands Will who thereby gave her the Rents & Income of his Real Estate only during her Life, which consists of an old Dwelling House in Ann Street in Boston, now become ruinous & run to dispair, The Charge of Repairing the same amounts to near as much as the yearly Profits, Her said Husbands Children being all dead without Leaving any known Relations in these Parts Praying she may be allowed to Make Sale of the said House & Land or to mortgage the same for certain Term of Years to provide for her Support & Comfort: Order having been made at the last Session that Major John Wheelwright, And the Attorney of the Heirs of of¹ Robert Nanny, If any such there be be served with a Copy of the Petition & heard thereon, If any Thing they have to object Why the Prayer thereof should not be granted; And now further

Ordered that Major John Wheelwright the Petitioners Nephew take the Estate into his Hands & repair the Buildings or Erect new ones thereon, That the Estate may be put under Improvem^t And make such Allowances out of the Rents & Incomes thereof for the Relief & Support of the Petitioner, As this Court from Time to Time shall direct. Keeping just & fair Accompts of his Disbursem^{ts} That they may be rendered to the Heirs of Rob^t Nanny If any such appear. [*Passed February 23.*]

CHAPTER 169.

Legislative
Records of the
Council, ix.,
366.

Post, chap. 174.
Sewall's
Diary, ii., 425.

ORDER FOR ESTABLISHING A NEW TOWNSHIP BY THE NAME OF RUTLAND. [*Passed February 23.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 170.

RESOLVE ALLOWING ROBT ELLIS £25.

UPON READING a Petition of Robert Ellis of Boston Surgeon Praying Payment of the Sum of Twenty five Pounds for his Service in Attending Dressing & Cure of Joseph Belknap jun^r for the Space of near Three Years who was wounded in her Majesties Service & Pay of this Province, on Board the Sloop Phoenix, Cpt. Miles Commander

Resolved that the Prayer of the Petition be granted, And the Sum of Twenty five Pounds be allowed & paid out of the Publick Treasury to Robert Ellis the Petitioner for the Cure mentioned in the Petition. [*Passed February 24.*]

Legislative
Records of the
Council, ix.,
367.

CHAPTER 171.

ORDER PROHIBITING TRESPASS UPON LANDS OF JN^o WAINWRIGHT AND OTHERS.

UPON READING the Petition & Representation of John Wainwright & Jonathan Emerson on Behalf of them selves & others the Partners Proprietors of a Farm scituate within the Township of Amesbury peaceably possessed by them & their Ancestors for near thirty Years past being lately interrupted by Trespass made upon them & alledged to ly within the Province of New-Hampshire, Praying a Prohibition against the Cutting any Wood or Timber off the said Farm untill the Line betwixt the two Provinces be adjusted;

Ordered that, Depending the Dispute about the Partition Line betwixt the two Provinces all Strip & Wast of Wood & Timber to be made upon the Lands herein mentioned is hereby strictly prohibited & forbidden. [*Passed February 24.*]

Legislative
Records of the
Council, ix.,
367.

CHAPTER 172.

ORD^r FOR CALLING IN THE £.10000, LOAN.

Resolved that the Treasurer be ordered to call in what of the Ten Thousand Pounds Loan is outstanding, Except what was continued to the Borrowers by the Order of this Court for a longer Time against the Sessions of the Gen^l Court in May next. [*Passed February 24.*]

Legislative
Records of the
Council, ix.,
368.

Ante, chap. 64.

CHAPTER 173.

ORDER OF HEARING ON THE PETITION OF MATTHEW BOMER COMPLAINING OF A JUDGMENT.

UPON READING the Petition of Matthew Bowmer jun^r Complaining of a Judgem^t given against him at the Court of Gen^l Sessions of the Peace for the County of Bristol, held at Bristol in October past at the Prosecution of Cpt. Constant Church for Theft, From which Judgement he Claimed an Appeal & offered to enter his Bonds with one

Legislative
Records of the
Council, ix.,
368.

good Surety for his Prosecution thereof, but was denied his Appeal because he did not bring an other Surety, as he sets forth;

Ordered that Provision be made for the Relief of the Petitioner, And that the Cause within mentioned be heard before the next Court of Assize to be held for & within the County of Bristol, As if the Petitioner had been admitted to his Appeal, & to prosecute the same in like Manner as the Law provides for Appeals, The Petitioner Causing the adverse Party to be served with a Copy of this Order fifteen Days before the Courts Sitting. [*Passed February 24.*]

CHAPTER 174.

RESOLVE APPOINTING JN^o CHANDLER TO LAY OUT RUTLAND. [*Passed February 24.*]

Legislative
Records of the
Council, ix.,
368.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Ante, chap. 169.

CHAPTER 175.

VOTE ACCEPTING REPORT OF THE COMMITTEE APPOINTED TO ANSWER GENERAL NICHOLSON'S LETTER.

Legislative
Records of the
Council, ix.,
368.

THE REPORT of the Committee; Viz, In Answer to his Excellency Gen^l Nicholsons Letter of this Date, The Committee are humbly of Opinion that the Thanks of this Court be given to his Excellency Gen^l Nicholson for his Advice referring to the Bills of Credit given out by Coll. Vetch late Govern^r of Annapolis Royal; We are not advised that any of those Bills have been yet offered in Payment, within this Province, which when it shall happen; It may be proper for the Government to take all just Care, That her Majesties good Subjects within the same have no Injury thereby; And that notwithstanding It is using all proper Means to bring in the Bills of this Province out standing that they may be burnt, Yet if her Majesties Service shall stand in Need of Six Hundred Pounds for the Support of the Garrison at Annapolis Royal, That there be a Loan thereof to Govern^r Nicholson for the Time, & in the Manner that he propounds in his Letter:

Feb. 24. 1713.

Sign'd

p Order of the Committee

W^m TAILER.

ACCEPTED in the House of Represent^{ves} Read & Concur'd in Council.
[*Passed February 24.*]

CHAPTER 176.

ORDER ANNULING A DEED FROM HENRY SHORT TO MATTHEW SHORT.

Legislative
Records of the
Council, ix.,
369.

IN ANSWER to the Petition of Henry Short of Newbury & his Brother Matthew Short Praying, That a Deed or Instrument pass'd by the said Henry of an Estate in Housing & Lands to his Brother Matthew Short & the Heirs of his Body lawfully begotten & so in a lawful Line for Ever, agreeable to the Will of their Father Henry Short Dec^d (a Copy

whereof was presented) may be null'd & made void, And so the said Matthew Short & his Heirs may be wholly taken out of the Estate, & sett at Liberty from the hard & difficult Terms & Conditions in that Deed express'd;

Ordered that the Prayer of the Petition be granted & the Deed or Instrum^t therein referred to from the Petitioner Henry Short be & hereby is utterly nulled & made void. [*Passed February 24.*]

CHAPTER 177.

VOTE DEMANDING THE QUOTA OF THE OTHER GOVERNMENTS OF THE
ADV^A TO Y^E CHARGE OF Y^E EXPEDITION 1710.

THE FOLLOWING VOTE pass'd in y^e House of Repres^{ves} Sent up for Concurrence.

Voted that his Excellency the Govern^r with the Council be desired to improve some suitable Persons to go to the sev^l Governm^{ts} of Connecticut, Rhoad Island & New Hampshire when his Excellency Gen^l Nicholson visits those Governm^{ts} To obtain of them their respective Quotas for the Charge of Transports for the Train of Artillery &c in the Expedition Anno 1710: under his Excellency Gen^l Nicholson for the Reduction of Port-Royal &c; *Ordered* by the then Council of War (& to be born by the said Governm^{ts} in Conjunction with this, but the whole) to be first advanced by this Province, as it then was, The sev^l Articles of which Charge & the respective proportionable Quotas appear by the particular Acc^t thereof approved by the said Council, And to obtain what is due from the said Governm^t of Rhoad Island for the Furnishing Surgeons for the said Expedition; And that Major Thomas Fitch Cpt. Thomas Hutchinson & John Clark Esq^r with such as the Hon^{ble} Board shall appoint be a Committee to wait on his Excellency Gen^l Nicholson & Request his Favour to this Province in Certifying the said Governm^{ts} of the Reasonableness & Justice of the said Demands & Disposing them to a Discharge & Payment thereof to such Person as shall be employed to receive y^e same.

Read & Concur'd in Council, And Eliakim Hutchinson & Andrew Belcher Esq^{rs} appointed to be of the Committee for the Affair above mentioned, And that M^r Commissary Gen^l Belcher be desired by him self or one belonging to his Office knowing in the Accompts to accompany Gen^l Nicholson, as is above proposed, when he visits the sev^l Governments above named. [*Passed February 24.*]

Legislative
Records of the
Council, ix.,
369.



RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1714.

LEGISLATIVE LIST¹

FOR

1714.

HIS EXCELLENCY JOSEPH DUDLEY,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

ISAAC ADDINGTON, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Colony of the Massachusetts Bay;*

WILLIAM TAILER
WAIT WINTHROP
SAMUEL SEWALL
ELISHA HUTCHINSON
ISAAC ADDINGTON
JOHN PHILLIPS
JONATHAN CORWIN
PENN TOWNSEND
JOHN APPLETON

} ESQRS.

JOHN HIGGINSON
SAMUEL PATRIDGE
ANDREW BELCHER
EDWARD BROMFIELD
THOMAS NOYES
NATHANIEL NORDEN
BENJAMIN LYNDE
ADDINGTON DAVENPORT
THOMAS HUTCHINSON

} ESQRS.

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Colony of New Plimouth;*

ISAAC WINSLOW
NATHANIEL PAYNE

} ESQRS.

JOHN CUSHING
JOHN OTIS

} ESQRS.

*Of the Inhabitants of or Proprietors of Lands within the Territory formerly called
the Province of Main;*

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ICHABOD PLAISTED, ESQRS.

*Of the Inhabitants of or Proprietors of Lands within the Territory lying between
the River of Sagadahock & Nova Scotia;*

JOSEPH LYNDE, ESQ.

¹ See Legislative Records of the Council, ix., 371-374.

For the Province, at large: —

SAMUEL APPLETON & NATHANIEL BYFIELD, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 26, 1714 to November 5, 1714.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
 Capt. Thomas Hutchinson,
 Col. Adam Winthrop,
 Capt. Oliver Noyes.
Roxbury, . . . Mr. William Denison.
Dorchester, . . Capt. Hopestill Clap.
Milton, . . . Mr. Ephraim Tucker.
Brantrey, . . . Edmund Quincey, Esq.
Weymouth, . . Capt. Stephen French.
Hingham, . . . Samuel Thaxter, Esq.
Dedham, . . . Mr. Eleazar Kingsberry.
Medfield, . . . Ensign Samuel Smith.
Mendon, . . . Mr. Samuel Thayer.
Wrentham, . . Mr. John Guild.
Needham, . . . Mr. John Smith.

COUNTY OF MIDDLESEX.

Cambridge, . . Mr. Jonathan Remington.
Charlestown, . Capt. Samuel Phips.
Watertown, . . Mr. Samuel Sterns.
Newtown, . . . Mr. John Ward.
Sudbury, . . . Capt. Hopestill Brown.
Marlboro', . . Mr. Peter Rice.
Sherburn, . . . Mr. John Holbrook.
Lancaster, . . Mr. Jabez Fairbanks.
Frammingham, Major Joseph Buckminster.
Groton, . . . Mr. John Farnsworth.
Concord, . . . Mr. Benjamin Whittemore.
Chelmsford, . . Mr. Stephen Pierce.
Billerica, . . . Lieut. John Sterns.
Woburn, . . . Mr. John Pierce.
Medford, . . . Mr. Thomas Tufts.
Reading, . . . Mr. Timothy Wiley.
Malden, . . . Mr. John Greenland.
Lexington, . . Capt. William Read.
Weston, . . . Capt. Francis Fulham.

COUNTY OF ESSEX.

Salem . . . Capt. Peter Osgood,
 Mr. John Pickering.
Ipswich, . . . Mr. Nathaniel Knolton,
 Mr. John Appleton.
Lynn, . . . John Burrill, Esq.

COUNTY OF ESSEX — *Concluded.*

Marblehead, . Mr. James Cawley.
Beverly, . . . Mr. Samuel Balch.
Wenham, . . . Mr. William Fiske.
Topsfield, . . Mr. Tobijah Perkins.
Andover, . . . Capt. Benjamin Stevens.
Bradford, . . . Mr. Thomas Kembball.
Haverhill, . . Mr. John Hasseltine.
Boxford, . . . Mr. Joseph Hall.
Rowley, . . . Mr. Joseph Boynton.
Newbury, . . . Capt. Thomas Hall.
Salisbury, . . Mr. William True.
Amesbury, . . Capt. Thomas Harvey.
Glocester, . . . Mr. James Parsons.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Simon Davis.
Taunton, . . . Capt. Samuel Williams.
Swansey, . . . Mr. John Rogers.
Rehoboth, . . Mr. Moses Read.
Attleboro', . . Mr. Nicholas Ide.
Little Compton, Capt. William Southworth.
Dartmouth, . . Mr. Jonathan Delano.
Dighton, . . . Mr. Benjamin Jones.
Tiverton, . . . Mr. Job Almy.

COUNTY OF HAMPSHIRE.

Springfield, . John Pyncheon, Esq.
Northampton, . Mr. Joseph Parsons.
Westfield, . . . Mr. John Ashley.
Suffield, . . . Mr. Jacob Adams.
Hatfield, . . . Mr. John Patridge.
Hadley, . . . Mr. Daniel Marsh.

COUNTY OF YORK.

York, . . . Lewis Bane, Esq.
Kittery, . . . Capt. John Leighton.
Wells, . . . Mr. Joseph Storer.

COUNTY OF PLIMOUTH.

Plimouth, . . Mr. John Watson.
Scituate, . . . Mr. Samuel Clap.
Marshfield, . . Mr. Isaac Little.

COUNTY OF PLIMOUTH — *Concluded.*

Duxborô, . . Seth Arnold, Esq.
Bridgewater, . Josiah Edson, Esq.
Rochester, . . Mr. Samuel Prince.
Pembroke, . . Capt. Thomas Barker.

COUNTY OF BARNSTABLE.

Barnstable, . . Daniel Parker, Esq.
Sandwich, . . Mr. Samuel Jennings.

COUNTY OF BARNSTABLE — *Concluded.*

Yarmouth, . . Mr. John Paddock.
Eastham, . . Mr. John Payne.
Harwich, . . Mr. John Mayo.
Truro, . . . Capt. Thomas Payne.

NANTUCKET.

James Coffin, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON
ON THE TWENTY-SIXTH DAY OF MAY, A.D. 1714.

CHAPTER 1.

ORDER CONFIRMING THE COMMITTEE'S REPORT IN REGARD TO KIT-
TERTY LOWER PRECINCT. [*Passed May 29.*]

Legislative
Records of the
Council, ix.,
376.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
336.

CHAPTER 2.

ORDER OF CONFIRMATION OF A GRANT OF LAND TO MENDON. [*Passed
June 1.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
378.

CHAPTER 3.

ORDER FOR AN INQUIRY INTO THE VALIDITY OF A CONVEYANCE BY
THOMAS ELLIS.

UPON READING a Petition of Cpt. John Jenkins & Mary his Wife
in Behalf of Margaret Hutchins an Orphan about ten Years of Age
relating to the Incapacity of her Grand father Thomas Ellis & his
being prevailed on by a Stranger to pass away his Estate to him in
her Prejudice.

Legislative
Records of the
Council, ix.,
378.

Ordered that Nath^l Norden Esq^r & John Legg Esq^r two of her
Majesties Justices dwelling at Marblehead be desired & impowered
to Enquire into the Powers & Capacity of the said Thomas Ellis &
his Circumstances & what he has done respecting his Estate & report
the same. [*Passed June 1.*]

CHAPTER 4.

ORDER TO SURVEY & MARK OUT YE BOUNDS OF TRURO. [*Passed June 1.*Legislative
Records of the
Council, ix.,
378.*Post*, chap. 74.[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 5.

ORDER DIRECTING THAT NANTUCKET INDIANS HOLD THEIR LANDS IN
PEACE.Legislative
Records of the
Council, ix.,
379.UPON READING a Petition of Munnequin & Cain Sosoneth Sachems of the Island of Nantucket, Complaining of the English Inhabitants there Depriving them of the Improvem^t of the Reserved Lands, their Tillage & Herbage, Distraining & Disposing of their Cattle Complaints of the like Nature having been before made by the Indians;*Ordered* that they be in no wise Molested or hindered in the Use & Improvem^t of their reserved Land in the said Island as well for Tillage & Feed as in all Times past, Nor their Cattle be distrained on Pretence of Trespass, But that they be in Peace in their Possessions & Improvem^{ts} untill there be a full Hearing & Determination by this Court of the Challenges made upon them by the English Inhabitants of the same Island, W^{ch} the English Inhabitants are to solicit and pursue, for that the Indians are incapable to understand the Law or look after their Rights: And the Petitioners are to serve James Coffin Esq^r a principal Inhabitant of the said Island with a Copy of this Order. [*Passed June 2.*]

CHAPTER 6.

ORDER OF HEARING ON THE PETITION OF SUDBURY WEST INHAB^{ts}
FOR A TOWNSHIP. [*Passed June 2.*]Legislative
Records of the
Council, ix.,
380.*Post*, chap. 83.[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 7.

ORDER OF CONFIRMATION OF 500 ACRES OF LAND TO JOSIAH TORREY.
[*Passed June 2.*]Legislative
Records of the
Council, ix.,
380.[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 8.

RESOLVE ALLOWING TO JN^O HARRADINE £.7 „ 15.

UPON READING a Petition of John Harradine of Gloucester Praying Payment for his Expence & Wages for his Service as Pilot on Board her Majesties Ships Mountague & Sapphire in the late intended Expedition against Canada being two Months & two Days in the Service ;

Resolved that the Sum of Seven Pounds & fifteen Shillings be allowed & paid out of the Publick Treasury to John Harradine the Petitioner in full for his Service set forth in his Petition. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
380.

CHAPTER 9.

ORDER APPOINTING A COMM^{TEE} TO CONSIDER OF METHODS TO FACILITATE PAYMENTS.

IN CONSIDERATION of the low Circumstances of the Province & the Difficulty of Gathering the publick Taxes by Reason of the few publick Bills of Credit that are passing ;

Legislative
Records of the
Council, ix.,
382.

Ordered that Sam^l Sewall Elisha Hutchinson, John Higginson, John Appleton & Andrew Belcher Esq^{rs} & the Queens Attorney be a Committee to consider of proper Ways & Methods to facilitate Payments both publick & in Trade, with such as the House of Representatives shall name to join them, And to report the same forthwith.

Post, chap. 76.

Concur'd by the House of Represent^{ves} & Cpt. Oliver Noyes, Coll. Sam^l Thaxter, Daniel Parker Esq^r Coll. Edmund Quincey, M^r Sam^l Clap, M^r William Denison & M^r Jon^a Remington joined in y^e Affair. [*Passed June 4.*]

CHAPTER 10.

ORDER APPOINTING A COMM^{TEE} TO HAVE A HEARING IN REGARD TO BUILDING A SECOND MEETING HOUSE IN NEWTON.

UPON READING a Petition of the Select Men of Newton Setting forth that Sevⁿ of the Inhabitants in the Southern Part of the Town are actually preparing to build a Meeting House for the publick Worship of God in that Part of the Town ; Praying the Town may be kept united :

Legislative
Records of the
Council, ix.,
382.

Ordered that John Otis, Nath^l Payne & John Wheelwright Esq^{rs} or any two of them with such as shall be joined them by the Representatives be a Committee to repair to Newton on Tuesday the eighth Current, & Hear both Parts of the Town on the Matter of this Petition, And Report the same to this Court :

Concur'd by the House of Represent^{ves} And Seth Arnold Esq^r Joseph Parsons Esq^r M^r Sam^l Balch & Cpt. Peter Osgood are a Comm^{tee} to join in y^e Affair. [*Passed June 4.*]

Post, chap. 30.
Legislative
Records of the
Council, ix.,
379. Smith's
History of
Newton, pp.
220, 222.

CHAPTER 11.

ORDER OF HEARING OF POTAMOMMACUT INDIANS COMPLAINT VERSUS
EASTHAM &c.

Legislative
Records of the
Council, ix.,
382.

Legislative
Records of the
Council, ix.,
377. Pratt's
History of
Eastham, Well-
fleet and
Orleans, p. 54.

UPON READING a Plea & Complaint of the Indian Inhabitants of Potomummocutt, That they are deprived of their Rights & Privileges in the undivided Commons in Eastham & Harwich for Cutting Fire-Wood Fencing Stuff & Timber & Herbage &c:

Ordered that the Petitioners Cause the Select Men of Eastham & Harwich to be served with a Copy of this Petition, And that they be heard thereupon the first Fryday of the next Session of this Court. [*Passed June 4.*]

CHAPTER 12.

RESOLVE ALLOWING 30/, TO JACOB TOMPSON.

Legislative
Records of the
Council, ix.,
382.

Resolved that the Sum of Thirty Shillings be allowed & paid out of the publick Treasury to Jacob Thompson surveyour for his Service in Running the Line between Accord Pond & Angle Tree. [*Passed June 4.*]

CHAPTER 13.

VOTE ALLOWING ESSEX CO. TREAS^{RS} ACC^O.

Legislative
Records of the
Council, ix.,
382.

Voted a Concurrence with the Allowance pass'd by the Represent^{ves} upon the Accompt of John Appleton Esq^r County Treasurer for Essex, Commencing the twenty eighth of June 1712. [*Passed June 4.*]

CHAPTER 14.

ORDER APPOINTING A COMM^{TEE} TO RUN THE LINE BETWIXT DEDHAM
& NEEDHAM. [*Passed June 4.*]

Legislative
Records of the
Council, ix.,
383.

Post, chap. 93.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

CHAPTER 15.

ORDER IMPOWERING M^R BILL TO MAKE SALE OF W^M ROUSES LAND.

Legislative
Records of the
Council, ix.,
383.

UPON READING a Petition of Sarah Parker sole Executrix of Jane Hind late of Boston Widow Dec^d Setting forth that the said Jane Hind by her last Will & Testament devised a certain Piece of Ground scituate near the North Meeting House in Boston, Containing about twenty Feet in Front & forty two Feet in Depth to & among her Children & Grand Children mentioned in the said Will, & particularly one sixth

Part thereof to her Grand son William Rouse who is since dead leaving Issue two Sons named Joseph & William, being Minors within Age, the said Land lying vacant & wholly unimproved, Praying that the Petitioner or some other Person may be empowered to make Sale of the sixth Part of the said Land belonging to the said Orphans & the Money secured for their Benefit,

Ordered that the Prayer of the Petition be granted & that M^r Bill the Grand-father of the Children be empowered to make Sale of the sixth Part of the Land mentioned in the Petition, Who shall accompt with the Judge of Probates for the Improvement of it. [*Passed June 4.*]

CHAPTER 16.

ORDER OF HEARING ON MIDDLEBORO PROPRIETORS PETITION FOR CONFIRMATION OF PURCHASE OF LAND.

UPON READING a Petition of Jacob Thomson & others Agents for the Proprietors of the Sixteen Shilling Purchase so called in Middleboro, Praying a Confirmation of Lands purchased of the Indian Sachems native Proprietors & Inhabitants within the Township of Middleborough;

Legislative
Records of the
Council, ix.,
383.

Ordered that the Petitioners Cause the Select Men of Tiverton & Rochester to be served respectively with a Copy of this Petition, And that they be heard before this Court on the second Wednesday of the next Sessions, If any Thing they have to say Why the Prayer thereof should not be granted: The Clerks of the Proprietors in the said Town to be also notified. [*Passed June 5.*]

CHAPTER 17.

ORDER GRANTING A CONTINUANCE OF THE LOAN TO THO: FITCH &c.

UPON READING a Petition of Thomas Fitch Nathⁿ Carey Charles Chambers Samⁿ Greenwood & Oliver Noyes, Praying a longer Continuance for one Year more of the Sum of Three Thousand Eight Hundred & twelve Pounds eight Shillings & seven Pence of the Loan for the Setting forth the Intended Expedition to Canada:

Legislative
Records of the
Council, ix.,
384.

Post, chap. 31.

Ordered that the Prayer of the Petition be granted. [*Passed June 8.*]

CHAPTER 18.

ORDER ON BENJ^a CHURCH'S PETITION ALLEGING CORRUPT PRACTICE OF A JURY IN A CAUSE IN WHICH HE WAS VOUCHED TO WARRANTY.

UPON READING a Memorial & Petition of Benj^a Church of Bristol relating to the irregular or corrupt Practice of the Jury in a Tryal before the Superiour Court of Judicature held at Bristol in September last, between Constant Church Appell^t from the Judgem^t of an Inferiour Court of Common Pleas & Francis Braiton Defend^t relating to Title of Land lying in Tiverton the Memorialist being vouch'd in Warranty of the said Land;

Legislative
Records of the
Council, ix.,
385.

Ordered that the Petitioner present his Complaint to her Majesties Justices of the Superiour Court of Judicature to sit in Bristol, of the

irregular or corrupt Practice of the Jury & that the Justices enquire thereof, And if they be convict of any indirect or corrupt Practice, that they animadvert upon them according to Law, If not the Petitioner to pay double Costs; And that the Petitioner then apply to this Court for Relief. [*Passed June 8.*]

CHAPTER 19.

ORDER OF CONFIRMATION TO WIGGLESWORTH SWEETSER & UXOR OF TITLE TO LAND.

Legislative
Records of the
Council, ix.,
385.

UPON READING a Petition of Wigglesworth Sweetser & Ursula his Wife only Daughter & only Child of John Cole of Charlestown Mariner Dec^d Praying a Confirmation of Three Hundred Acres of Land granted by Deed to her said Father Cole by John Wampas alias John White, Parcel of a large undivided & unimproved Tract of Land belonging to the said Wampas alias White lying within the Jurisdiction of this Government;

Ordered that the Three Hundred Acres of Land petitioned for be confirmed to the Petitioners, Provided that it be not contained in any former Grant. [*Passed June 8.*]

CHAPTER 20.

RESOLVE ALLOWING £.22, TO JN^O STAGPOLE.

Legislative
Records of the
Council, ix.,
386.

UPON THE PETITION of John Stagpole late a Soldier at Winter Harbour Fort taken & held Prisoner by the Indians for the Space of Nineteen¹ Months; Viz,

Resolved that the Sum of Twenty two Pounds be allowed & paid out of the publick Treasury to John Stagpole the Petitioner. [*Passed June 8.*]

CHAPTER 21.

ORDER ACCEPTING THE COMM^{TEES} REPORT OF UNSERVICEABLE BILLS IN Y^E TREASURY; COMM^{TEE} TO PROCEED TO BURNING OF THE BILLS.

Legislative
Records of the
Council, ix.,
386.

Post, chap. 22.

THE COMMITTEE in Obedience to the Order of Court have taken an Account of the unserviceable Bills of Credit in the Treasury as well those of the Province as the Loan Money, As per the annex'd Accounts more particularly appears; And the said Bills are bundled up ready for Burning, Viz,

On Account of the Province	£.13499. 19. 10½.
Advance at 5. $\frac{1}{2}$ Cent.	675. -. 1½
On Account of the Loan	3322. 11. 6.
	<hr/>
	£.17497. 11. 6.

In the Whole amounts to the Sum of Seventeen Thousand four Hundred ninety seven Pounds eleven Shillings & six Pence.

JOHN WATSON

JER. ALLEN.

EDW^D HUTCHINSON

W^M DENISON

THO: HUTCHINSON

OLIVER NOYES.

EL^M HUTCHINSON

ADDN: DAVENPORT

¹ "Thirteen" in the State Library copy, Legislative Records of the Council, ix., 331; but the entry in the Executive Records of the Council, vi., 226, agrees with the text.

Shillings & six Pence belonging to the Accompt of the Loan made for the Service of the last design'd Expedition against Canada. [*Passed June 10.*]

CHAPTER 23.

Legislative
Records of the
Council, ix.,
389. *Ibid.*,
State Library,
ix., 334.

ORDER ON BRINFIELD PETITION FOR GRANT OF LAND. [*Passed June 10.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

CHAPTER 24.

ORDER IN REGARD TO THE PROFITS OF THE FERRY BETWEEN NEWBURY AND HAVERHILL.

Legislative
Records of the
Council, ix.,
389.

IN ANSWER to the Petition of the Select Men of Newbury Praying that the Profits of the Ferry lately granted by the Gen^l Sessions of the Peace to be kept over Merimack River above Holts Rocks between Newbury and Haverhill may be settled upon the Town of Newbury;

Ordered that there be a Ferry stated over Merimack River in the Place mentioned in the Petition, the Profits of the said Ferry to be to the Towns of Newbury & Haverhill in equal Proportion; this Grant being limited for y^e Space of forty Years next coming. [*Passed June 10.*]

CHAPTER 25.

RESOLVE ALLOWING £.20, TO JOS. METCALF.

Legislative
Records of the
Council, ix.,
390.

IN ANSWER to the Petition of M^r Joseph Metcalf Minister of Falmouth in Consideration of the extraordinary Frowns of Heaven by Worms & Drought on the Labours of the Town whereby they have been disabled from Affording a necessary Maintenance to the Petitioner;

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r Joseph Metcalf the Petitioner, towards Retrieving his present low Circumstances. [*Passed June 11.*]

CHAPTER 26.

RESOLVE GRANTING £.235 ¹¹/₁₄ 8, LOAN TO THE TOWN OF BOSTON.

Legislative
Records of the
Council, ix.,
390.

Boston Town
Records, 1700–
1728, pp. 101,
102. Records
of Boston
Selectmen,
1701–1715,
p. 207.

A MOTION being made by a Vote of the Select Men of the Town of Boston in Writing that the Sum of Two Hundred thirty five Pounds fourteen Shillings & eight Pence may be lent them out of the publick Treasury untill the last Day of February next, W^{ch} they want to furnish their Quota for the F[ini]shing¹ the Building the House for the publick Service of the Province, County & Town in Boston; The Tax of y^e said Town not being to be collected & had seasonably for that Service;

Resolved that the Treasurer be directed to supply the Treasurer of the Town of Boston with the Sum of Two Hundred thirty five Pounds

¹ MS. mutilated.

fourteen Shillings & eight Pence in the publick Bills of Credit for the Use above express'd, Taking good & sufficient Security for the Repaying of the said Sum into the Treasury again on or before the last Day of February next. [*Passed June 11.*]

CHAPTER 27.

REPORT ACCEPTING THE COMMITTEE'S REPORT ON THE SURVEY OF ROCHESTER WEST LINE. [*Passed June 11.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
390.

CHAPTER 28.

VOTE ACCEPTING THE SURVEY OF LAND LAID OUT TO EL. HUTCHINSON & IS^A ADDINGTON AND CONFIRMING TITLE TO THEM. [*Passed June 12.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
388. Maps and
Plans, iv., 16.

CHAPTER 29.

VOTE FOR GIVING TO MARY THOMPSON A £3, BILL FOR A TORN ONE.

Voted That the Treasurer be directed to receive the two Pieces of a Three Pound Bill of Credit on this Province annexed unto this Order of Mary Thomson of Boston & give her a whole Three Pound Bill or the Value of it in other Bills for them. [*Passed June 12.*]

Legislative
Records of the
Council, ix.,
391.

CHAPTER 30.

VOTE ACCEPTING THE COMMITTEE'S REPORT IN REGARD TO A NEW PRECINCT IN NEWTON. [*Passed June 12.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
391.

Ante, chap. 10.

CHAPTER 31.

ORD^R FOR CONTINUING PART OF THE LOAN.

UPON READING a Petition of Jeremiah Dummer Esq^r & others Merchants & Traders in this Province, Praying further Favour & Forbearance & Continuation of the Loan of Two Thirds of the remaining out standing Half of the Bills of Credit for one Year more upon their Paying in one Third Part of the said Half, W^{ch} will be the Sum of £.6666. 13. 4.

Legislative
Records of the
Council, ix.,
392.

Ante, chap. 17.
Post, chap. 32.

Ordered that the Prayer of the Petition be granted, And that Two Thirds of the Bills out standing in the Hands of the Petitioners be lent to them for one Year more, upon their Paying in the other Third Part; And that the Committee which this Court employed to lend out the Bills & take Security for their Repayment be again revived & impowered to review & consider the Bonds & Security given for the same, As well those on which the After Ten Thousand Pounds Loan was issued, as those which this Petition refers to, And that such of the Bonds wherein any of the Obligors are dead, removed out of the Province or by adverse Providence considerably impaired in Estate, or neglect to pay in the said one Third Part or wherein the Securities refuse to continue so, be sued out when due, Unless other & further sufficient Security be given to the Satisfaction of the Committee; The Obligors to pay the Comm^{tee} for their Trouble. [*Passed June 14.*]

CHAPTER 32.

ORDER GRANTING TO JN^O BORLAND A CONTINUATION OF HIS LOAN.

Legislative
Records of the
Council, ix.,
333.

Ante, chap. 31.
Post, chap. 33.

UPON READING a Petition of M^r John Borland Merch^t Praying Respite of one Years Time longer, for his Paying in the Sum of Nine Hundred eighty one Pounds five Shillings & three Pence, Part of the Loan of the Publick Bills of Credit by him received out of her Majesties Treasury of this Province

Ordered that the Prayer of the Petition be granted. [*Passed June 14.*]

CHAPTER 33.

ORDER GRANTING TO AND. & JON^A BELCHER A CONTINUATION OF THEIR LOAN.

Legislative
Records of the
Council, ix.,
333.

Ante, chap. 32.
Post, chap. 35.

UPON READING a Petition of Messieurs Andrew & Jonathan Belcher Merchants relating to the Canada Expedition, that they have advanced more than the Loan they have had from the Province, And there being still due from them £.1400 : per their Bond to the Treasurer payable the 18th of July next Praying the Continuance of the said Sum upon Loan for three Years still to come, as others have had for three Years past;

Ordered that the Prayer of the Petition be so far granted that the Fourteen Hundred Pounds therein mentioned be lent the Petitioners for one Year longer. [*Passed June 14.*]

CHAPTER 34.

VOTE ACCEPTING THE COMMITTEE'S REPORT ON THE PARTITION LINE BETWIXT THIS PROVINCE & CONNECTICUTT ON THE WEST SIDE OF THE RIVER. [*Passed June 15.*]

Legislative
Records of the
Council, ix.,
334.

Post, chap. 33.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

CHAPTER 35.

ORDER GRANTING A CONTINUANCE OF THE LOAN TO NATH^L HENCHMAN.

UPON READING a Petition of Nath^l Henchman Merch^t Praying Respite of one Years Time longer for his Paying in y^e Sum of Fourteen Hundred Pounds Part of y^e Loan of the publick Bills of Credit by him rec^d out of her Maj^{ties} Treasury of this Province

Legislative
Records of the
Council, ix.,
395.

Ante, chap. 33.
Post, chap. 46.

Ordered that the Prayer of y^e Petition be Granted. [*Passed June 15.*]

CHAPTER 36.

ORDER SUSPENDING AN EXECUTION UPON LAND OF JARED TALBOT.

UPON A PETITION presented by Cpt. Jared Talbot, who purchased of Nathaniel Halloway & Timothy Halloway of Taunton a certain Tract or Parcel of Land lying in Taunton (since Dighton) delivered to them by Execution for Satisfaction of a Judgement recovered by them against Nicholas Moorey & Josiah Winslow both of Freetown, Setting forth, That the said Moorey complaining to this Court in October last of the Mislaying of the Execution, the whole Damage being levied on his Land being but a joint Party The Court were pleased to order that the Land so unduly & unjustly taken & levied be subjected in the Law to the Arrest of the Complainant upon a Writt of Review for a new Tryal of the Cause, the Alienation thereof notwithstanding, And upon his Recovery *thereof* the Lands to be restored to him again &c: And further that the said Halloways have recovered Judgement against the Petitioner for the Sum of Eighty Pounds six Shillings & six Pence upon a Bond given them for so much in Part Payment for the said Land, & taken out Execution on the Judgement, which lies in the Hand of the Sheriff, Praying that the Levying the said Execution obtained by the said Halloways Vendors of the said Land may be suspended untill the Issue of the said Mooreys Suit upon a new Tryal &c.

Legislative
Records of the
Council, ix.,
396.

Ordered that the Prayer of the Petition be granted, And the Levying the said Execution therein mention'd be suspended accordingly. [*Passed June 16.*]

CHAPTER 37.

ORDER ON NATH^{LL} AYERS'S PETITION FOR RELIEF AGAINST A JUDGMENT BY DEFAULT.

UPON READING a Petition of Nathaniel Ayers of Boston Black Smith Praying Relief against a Judgement obtained against him by Default at the last Inferiour Court of Common Pleas held at Boston at the Suit of Matthew Vibert for Seventy five Pounds seven Shillings & nine Pence to his very great Surprize, the said Vibert promising him not to Enter or proceed in the said Suit, And the Justices of the said Court having reported their Opinion, that the Petitioner be relieved & that in the mean Time Execution on the Judgement by Default be stayed;

Legislative
Records of the
Council, ix.,
396.

Ordered that the Action be heard at the next Inferiour Court of Common Pleas to be held for the County of Suffolk as to the Merit of the Cause upon the former Writt, the Default notwithstanding, the Peti-

tioner serving the Plaintiff with a Copy of this Order seven Days before the said Courts Sitting And that Execution upon the Judgement by Default be stayed until this Tryal be over. [*Passed June 16.*]

CHAPTER 38.

ORDER ALLOWING £.41 ¹⁶/₁₁ 4, TO W^M DUDLEY &c FOR THEIR SERVICE &c. ABOUT THE LINE.

Legislative
Records of the
Council, ix.,
397.

Ante, chap. 34.

[UPON] AN ACCOMPT of William Dudley Esq^r in Behalf of him self & other the Commissioners for Running the Partition¹ Line between this Province & the Colony of Connecticut for their Charge & Expence in that Service & Allowance for their Time, Amounting to sixty one Pounds six shillings & four pence;

Resolved that the Sum of Forty one Pounds sixteen Shillings & four Pence be allowed & paid out of the publick Treasury to discharge the said Accompt. [*Passed June 17.*]

CHAPTER 39.

RESOLVE FOR PROVIDING £.300, STERL. FOR M^R AGENT DUMMER.

Legislative
Records of the
Council, ix.,
397.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three Hundred Pounds Sterling to be paid to M^r Jeremiah Dummer in London Agent for this Province further to enable him to negotiate the Affairs thereof. [*Passed June 17.*]

CHAPTER 40.

VOTE FOR AN INTERVIEW WITH THE EASTERN INDIANS.

Legislative
Records of the
Council, ix.,
398.

UPON A MESSAGE from the Hon^{ble} Board relating to his Exceys. Visiting the Eastern Indians;

Post, chap. 107.
Legislative
Records of the
Council, ix.,
377. Executive
Records of the
Council, vi.,
227.

Voted that it is the Opinion of this House that his Excellencies Visiting the said Indians may be of good Service to confirm & steady them in their Obedience to her Majesty & Amity with her Majesties good Subjects

That his Excellency be desired when he shall admit them to an Interview to let them know that this Government are forward to shew all proper Expressions of Friendship & Confidence in them, & therefore do not insist upon their being confined or Restrained from Visiting the Towns or Trading with any her Majesties good Subjects, as was mentioned at the Pacification, but that they have free Liberty of Trade in any Part of the Province, Alwaies holding them selves under a due Regulation & Order; AND that the Sum of Two Hundred Pounds be allowed & paid out of the publick Treasury to defray the Charge of the Visit, And of such Gifts as his Excellency shall think proper to bestow upon them. [*Passed * June 18.*]

¹ *Sic.*

CHAPTER 41.

VOTE ACCEPTING THE LEICESTER SURVEY & REPORT. [*Passed June 19.* Legislative Records of the Council, ix., 399.
 [Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”] Maps and Plans, iv., 17.]

CHAPTER 42.

RESOLVE ALLOWING £.10, TO SERG^t TUCKER.

UPON READING a Petition of Serg^t Daniel Tucker wounded in her Majesties Service & taken Prisoner by the Indians, Praying for some Allowance. Legislative Records of the Council, ix., 400.
Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Daniel Tucker the Petitioner in Consideration of his Loss of Time & his low Circumstances. [*Passed June 22.* Executive Records of the Council, vi., 202.]

CHAPTER 43.

FURTHER ORDER FOR DISPOSAL OF THE LAW BOOKS.

Ordered that each Member of this Court. that was not furnished with a Law Book by Vertue of the Order of the Court the last Year be now supplied with one at the Province Charge, And further that the Queens Attorney the Clerk of the Superiour Court & Clerk of each Inferiour Court of Common Pleas be furnished with a Law Book for the Use of the Court. [*Passed June 22.* Legislative Records of the Council, ix., 400.]

CHAPTER 44.

RESOLVE ALLOWING £.20, TO THE MINISTRY IN FREETOWN.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury towards the Maintenance of the Ministry at Freetown. [*Passed June 22.* Legislative Records of the Council, ix., 390.]

CHAPTER 45.

RESOLVE ALLOWING £.10 TO SAM^{ll} BILL.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r Samuel Bill in full Consideration of Damage set forth in his Petition.¹ [*Passed June 22.* Legislative Records of the Council, ix., 400. Executive Records of the Council, vi., 226.]

¹ “July 8, 1714. To Samuel Bill the sum of Ten pounds in full consideration of his damage received in Spectacle Island by entertaining sick persons put on shoar there by direction of the Government.” — Executive Records of the Council, vi., 226.

CHAPTER 46.

ORDER FOR CONTINUING PENN TOWNSENDS LOAN.

Legislative
Records of the
Council, ix.,
400.

Ante, chap. 35.
Post, chap. 99.

IN ANSWER to the Petition of Penn Townsend Esq^r Praying the Continuance for one Year longer of the Sum of One Hundred & five Pounds received by him self & others concerned with him out of the Loan granted for the Supply of the late intended Expedition against Canada;

Ordered that the Loan prayed for be continued for one Year more, the Committee revived for that End to have Consideration of the Security, As has been this Session directed. [*Passed June 22.*]

CHAPTER 47.

RESOLVE FOR EMITTING £4000, IN BILLS OF CREDIT AND PROVIDING A FUND AS SECURITY.¹

Legislative
Records of the
Council, ix.,
401.

Ante, chap. 22.
Post, chap. 72.

Resolved that the Treasurer be & hereby is Directed & Impowered to Issue forth & Emit the Sum of Four Thousand Pounds of the Bills of Publick Credit on this Province that are or shall be received into the Publick Treasury for Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government & the necessary Protection. & Preservation of the Inhabitants of this Province, & for the Subsisting such Forts & Garrisons as shall be now continued & Wages arising for their Service, for the Payment of Grants Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be, made upon him by Warrant or Order of the Governour, by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money, And shall be so accepted in all publick Payments

And as a Fund & Security for the same, There be & hereby is granted to her most Excellent Majesty to the Ends & Uses afore said a Tax of Four Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province, according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May Anno 1720: To be paid into the Treasury at or before the last Day of December next after. [*Passed June 22.*]

CHAPTER 48.

ORDER OF CONFIRMATION OF SALE OF LANDS TO JOHN ELLIOTT.
[*Passed June 22.*]

Legislative
Records of the
Council, ix.,
401.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

¹ Printed in the notes to the Acts for the year 1714, Province Laws, i., 752.

CHAPTER 49.

VOTE ALLOWING THE PROV. TREAS^R ACC^O & DISCHARGING THE TREASURER.

THE ACCOMPTS of M^r James Taylour Treasurer & Receiver Gen^l of this Province, beginning the twenty Ninth Day of May 1713. And continued to the thirty first of May 1714. Amounting unto the Sum of Fifty one Thousand & sixty two Pounds six Shillings & one Penny, Having been presented & laid before the House of Representatives & inspected by said House, By which it appears there was standing out the said thirty first of May Eleven Thousand three Hundred & twenty seven Pounds four Shillings & eight Pence of the Taxes, & also of the Duties of Impost &c as by Accompt received from M^r Daniel Russel Commissioner, Two Thousand & forty seven Pounds Eighteen Shillings & three Pence to be drawn into the Treasury & further to be accounted for;

Voted that the said Accompts in the several Articles of Receipts & Payments therein mentioned, Amounting unto the Sum of Thirty one Thousand & sixty nine Pounds nine Shillings & nine Pence be & hereby are approved & allowed of, And the said Treasurer is hereby discharged of the said Sum of Thirty one Thousand & sixty nine Pounds nine Shillings & nine Pence. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
402.

Mass.
Archives,
cxxii., 413-437.

CHAPTER 50.

VOTE ALLOWING THE PLIM^O CO. TREAS^R ACC^O.

THE ACCOMPT of John Dyer Treasurer for the County of Plimouth of two several Taxes of ninety Pounds & One Hundred & twenty Pounds ALLOWED by the Represent^{ves}

Voted a Concurrence. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
402.

CHAPTER 51.

VOTE ALLOWING THE BARNSTABLE CO TREAS^R ACC^O.

THE ACCOMPT of John Otis Esq^r Treasurer for the County of Barnstable, Amounting to One Hundred & fifty two Pounds thirteen Shillings & two Pence Settled by the Justices of the Court of Gen^l Sessions: ALLOWED by the Represent^{ves}

Voted a Concurrence. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
402.

CHAPTER 52.

ORDER APPOINTING A COMMITTEE TO MAKE A REGISTER OF LOTS &c.
GRANTED TO THE FIRST SETTLERS IN BROOKFIELD.

IN ANSWER to a Petition of Thomas Ayres &c Sons of John Ayres some Time of Quaboag alias Brookfield diverse Years since Deceased, Praying that the present Committee or some other may be Ordered to

Legislative
Records of the
Council, ix.,
402.

make Inquiry & Cause a Register to be made of the several Lots, Rights & Proprieties of Land within the said Plantation granted to the first & ancient Settlers & others to be Enter'd in a Book for that Purpose:

Ordered that the Prayer of the Petition be Granted & that Samuel Patridge Esq^r & others the present Committee for Brookfield be directed & impowered to make Inquiry & Cause a Register to be made of the Lots Rights & Properties of Land within the s^d Plantation granted to the first & ancient Settlers & others, particularly of a Grant made to M^r Phillips some Time Minister of the said Place, & Make Report to this Court; And the Committee to take Care that Provision be made for the Payment of M^r John James late Minister of Brookfield during his Continuance there. [*Passed June 22.*]

CHAPTER 53.

RESOLVE ALLOWING £.2⁰ 2, TO CPT. BANE.

Legislative
Records of the
Council, ix.,
402.

Resolved that the Sum of Forty two Shillings¹ be allowed & paid out of the publick Treasury to Cpt. Lewis Bane for the six Pair of Snow Shooes mentioned in his Accompt presented. [*Passed June 22.*]

CHAPTER 54.

ORDER FOR VICTUALLING CASTLE W^m GARRISON AT 4/8, P^r MAN P^r WEEK.

Legislative
Records of the
Council, ix.,
403.

IN ANSWER to a Memorial presented by Zechariah Tuthill, Victualler to her Majesties Castle William;

Ordered that the Memorialist be allowed four Shillings & eight Pence per Man per Week, for Victualling the Garson at her Majesties Castle William untill the second Day of January next. [*Passed June 22.*]

CHAPTER 55.

RESOLVE ALLOWING £.250, TO HIS EXCY.

Legislative
Records of the
Council, ix.,
403.

Post, chap. 104.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Govern^r in Chief of this her Majesties Province for his Support in Managing the Affairs of the Governm^t. [*Passed June 22.*]

CHAPTER 56.

RESOLVE ALLOWING £.50, TO HIS HON^r THE L^t GOV^r.

Legislative
Records of the
Council, ix.,
403.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} William Tailer Esq^r Lieutenant Govern^r in Consideration of his Readiness at all Times to serve this Province. [*Passed June 22.*]

¹ In the State Library copy, Legislative Records of the Council, ix., 345, the sum is stated to be forty shillings.

CHAPTER 57.

RESOLVE ALLOWING £.250, TO THE JUDGES.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superiour Court in Proportion to the Courts they attended the Year past. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
403.

Sewall's
Diary, iii., 6.

CHAPTER 58.

RESOLVE ALLOWING £.225, TO M^R TREAS^R TAYLOUR.

Resolved that the Sum of Two Hundred & twenty five Pounds be allow'd & paid out of the publick Treasury to M^r James Taylour for his Service as Treasurer of this Province the Year past, And that the Thanks of this Court be given to him for his faithful Service in that important Trust for several Years past. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
403.

CHAPTER 59.

RESOLVE ALLOWING £.20, TO M^R JOHN WHITE.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in Part for his Service the Year Currant. [*Passed June 22.*]

Legislative
Records of the
Council, ix.,
403.

Post, chap. 106.

CHAPTER 60.

RESOLVE ALLOWING £.10, TO JN^O CAMPHEL.

IN ANSWER to the Petition of John Camphel Deputy Post Master Gen^l of New England;

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to John Camphel the Petitioner in full for the Postage of Publick Letters. [*Passed June 23.*]

Legislative
Records of the
Council, ix.,
404.

Legislative
Records of the
Council, ix.,
390.

CHAPTER 61.

ORDER APPOINTING A COMMITTEE ON FRAMINGHAM PETITION FOR GRANT OF LAND. [*Passed June 24.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-cincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
404.

CHAPTER 62.

ORDER OF CONFIRMATION OF TITLE TO LAND TO JOS. BUCKMINSTER.

Legislative
Records of the
Council, ix.,
405.

IN ANSWER to the Petition of Joseph Buckminster of Framingham Esq^r for Confirmation of a certain Tract of Three Hundred Acres of Land protracted & laid out by an able Surveyour in a Place free from all other Grants lying between the Towns of Framingham & Mendon upon a Grant made to M^r Thomas Mahew in the Year 1643: purchased by the Petitioner of those deriving from the said M^r Mahew, A Plat thereof being laid before this Court,

Ordered that the Prayer of the Petition be granted, PROVIDED the Plat exceed not the Quantity of the Grant nor interfere with any former Grant. [*Passed June 24.*]

CHAPTER 63.

RESOLVE ALLOWING £.5, FOR THO. ONCUNCANUG A BLIND INDIAN.

Legislative
Records of the
Council, ix.,
405.

IN ANSWER to a Petition of Roger Billing & others on Behalf of Thomas Oncuncanug for some Relief for him;

Legislative
Records of the
Council, ix.,
390.

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to Roger Billing the Petitioner to be by him improved in the best Manner he can for the necessary Relief & Supply of the blind Indian in whose Behalf the Petition is made. [*Passed June 24.*]

CHAPTER 64.

RESOLVE ALLOWING £.10, TO DUNSTABLE FOR THE MINISTRY.

Legislative
Records of the
Council, ix.,
405.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury towards the Maintenance of the Ministry at Dunstable for this Year. [*Passed June 24.*]

CHAPTER 65.

RESOLVE ALLOWING £.10, TO JA. MAXWELL.

Legislative
Records of the
Council, ix.,
406.

Post, chap. 108.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r James Maxwell for what Attendance he has been able to give in his reduced Age, as Door keeper to his Excellency the Govern^r & this Court the Year past. [*Passed June 25.*]

CHAPTER 66.

RESOLVE FURTHER ALLOWING £.20, TO SAM^{LL} MAXWELL.

Resolved that the Sum of Twenty Pounds be further allowed & paid out of the publick Treasury to M^r Samuel Maxwell to compleat the Sum of Forty Pounds for his Service as Door keeper the Year past to his Excellency the Govern^r & this Court. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
406.

CHAPTER 67.

RESOLVE ALLOWING £.S^{II} 13, 6, TO SAM^{LL} GERRISH.

Resolved that the Sum of Eight Pounds thirteen Shillings & six¹ Pence be allowed & paid out of the publick Treasury to Samuel Gerrish to discharge his Accompt of Imprinting & Making up M^r Danforth's Election Sermons. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
406.

CHAPTER 68.

ORDER APPOINTING A COMM^{TEE} FOR TRANSFER OF BOOKS &c. BELONGING TO THE TREASURY BECAUSE OF THE DEATH OF M^R TREASURER TAYLOR.

Ordered that Cpt. Oliver Noyes, Coll. Adam Winthrop, M^r Edward Hutchinson M^r John Ruck Cpt. Samuel Phips & M^r William Denison be a Comm^{tee} to repair to the Treasurer & see the Province Bills of Publick Credit, that are in the Keeping of the late Treasurer Taylour, & the Accompts & Books of the Treasury & what ever else are in his Hands belonging to the Province delivered to M^r Treasurer Allen & take his Receipt for them & return the same to this Court. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
407.

CHAPTER 69.

ORDER STATING THE HOURS FOR KEEPING OPEN THE TREASURY.

Ordered that the ordinary Hours of Attendance in the Treasury be from nine to twelve in the Fore Noon through out the Year, And from two to six in the After Noon except in the Winter Time, And then the Attendance to be in the After Noon from Two to Four. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
407.

CHAPTER 70.

VOTE ACCEPTING THE WORCESTER COMM^{TEE} REPORT.

THE FOLLOWING REPORT of the Committee for Worcester, ACCEPTED by the Representatives; Read & Concur'd; Viz,
The General Court having been pleased by their Order of the twenty first of October last to constitute a Committee to receive Claims of such Persons as are interested in Worcester & for resettling that

Legislative
Records of the
Council, ix.,
407.

¹ "Three" in the State Library copy, Legislative Records of the Council, ix., 349.

Town, The Committee do humbly lay before the Hon^{ble} Court the Account of what Progress they have made therein: After having posted up in this & other Towns printed Notifications for Persons concerned to bring in their Claims; And having attended for four Months Time to receive the same, They made a Journey up thither, & allowed the Claims of all that appeared to be justly interested there; And also admitted twenty eight Persons more to take up Lotts, some of Twenty some of Thirty & some of Forty Acres (as per Schedule herunto annexed) upon Condition they pay twelve Pence an Acre for their Planting Lotts only, towards the General Charge of Surveying & Laying out the Town, The old Inhabitants having formerly paid the same Sum And on Condition that in three Years from the Time each of them build on their said Lotts, & Occupy the same for three Years at least from the Time of their Building On Penalty that in Default thereof they forfeit their Lotts to be taken into the Hands of the Committee to be disposed of to others: Which Terms the new Grantees have readily consented to: Now in Order to accomodate the Community, And that Persons may sit down in Safety, The Committee humbly propose; 1st That those Persons that come in upon old Claims may be under the same Obligations & Penalties to settle & inhabit as the new Grantees are, They having taken up their Lands on that Condition: 2^{dly} That those Persons, who by Purchase possess y^e Rights of several Proprietors may be deemed so many Inhabitants & stand obliged to make so many several Settlements: 3^{dly} Whereas there has been so many Months given for Persons to bring in their Claims, & all Endeavours used to get Information of former Rights, That the Persons now admitted may settle on any Place whereto no Claim doth now appear without being liable to be hereafter molested or ousted by any pretending to a Prior Right to the same, And if any Person shall hereafter appear & make out his Claim to any Lands so settled upon, He shall instead thereof have so much as he can make out to be his Right in some other Land in the Town, No Person to be admitted to put in his Claim after the Expiration of three Years from this Time, Except Infants, Femes Covert, Persons non compos mentis, Imprisoned or in Captivity, Who shall be allowed three Years next after such Imperfection removed to put in their Claims, the same Term of three Years to be allowed to Persons beyond Sea, Or that have an Estate in Reversion to any Lands there: 4^{thly} That the old Claimers upon thirty Days Notice given them by the Surveyour appointed for the Town be obliged to show the Bounds of their Lots formerly laid out, or that otherwise, he the said Surveyour proceed to lay out Lots to the new Grantees, And what he shall do therein shall be valid: 6^{thly}¹ That whereas they find the Direction of the General Court in the Year 1668. to the then Committee was to lay out two or three Hundred Acres of Land to the Common Wealth, they desire the Provision now made for the Ministry the first Minister & the School may be Accepted on that Accompt. And whereas the Committee have already spent so much Time in Sitting to receive Claims besides their Journey thither & have been considerably in Advance of Money, & also expect to have the Care & Trouble of said Town possibly for some Years, And they find the former Committee to have been interested in fourteen fifteen & twenty Ten Acre Lotts; The several Persons admitted having already pitch'd upon the Places where they design to sit down; They pray there may be to each of them (the present Committee) a Forty Acre Lot granted (if the Hon^{ble} Court shall see meet) to be laid out to them in the Town, where they can find a Place not taken up, together with a Right to Meadow & after Divisions to be laid out in the Land next adjoining

¹ *Sic*, for 5^{thly}. See State Library copy, Legislative Records of the Council, ix., 350.

in Proportion with the other Proprietors, when such Proportion can be known: The Committee humbly submit their Proposals to the Consideration & Determination of this Hon^{ble} Court for their further Direction: Sign'd p Order of the Comm^{tee} W^m TAILER.

Boston June 14. 1714. [*Passed June 25.*]

CHAPTER 71.

ORDER IMPOWERING SAM^{ll} BAILEY TO SELL LAND.

IN ANSWER to the Petition of Samuel Bailey, who intermarried with Deliverance the Daughter of John Smith some Time of Dorchester Malster Dec^d & Administrator de Bonis non cum Testamento annexo of the said John Smith, Praying to be impowered to make Sale of some Rights & Divisions of undivided Out Lands of the said Smith in Dorchester for Discharge of a Debt to the Value of Fifty Pounds owing to him for the necessary Support Sickness, Nursing & Funeral Charges of Katherine Relict Widow of the said John Smith Charles Davenport who intermarried with one other of the Daughters joining in the Petition:

Ordered that the Petitioner Samuel Bailey and Charles Davenport be impowered to make Sale of the Lands petitioned for to the Value of Twenty seven Pounds one Shilling & one Penny, & to make & execute good & sufficient Deed or Deeds of Sale for the same, The said Twenty seven Pounds one Shilling & one Penny to be to the Use of the said Bailey to discharge his Debt. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
408.

CHAPTER 72.

ORDER APPOINTING A COMM^{tee} TO TAKE AN ACC^o OF UNSERVICEABLE BILLS IN THE TREASURY & BURN THEM.

THE FOLLOWING ORDER pass'd in y^e House of Represent^{ves} Sent up for Concurrence, Viz,

WHEREAS this Court have at their present Session Ordered the Calling in & Exchanging of a large Sum of the Bills of publick Credit on this Province, And many of the Bills that are paid into the Treasury are torn & defaced, W^{ch} can be of no Use, but of some Hazzard to lodge long in the Treasury;

Ordered that Cpt. Oliver Noyes, Coll. Adam Winthrop. M^r William Denison M^r Edward Hutchinson & Cpt. Samuel Phips with such as the Hon^{ble} Board shall appoint be a Committee, at any Time (between this Session & the Session of this Court in May next) when the Treasurer shall have Two Thousand Pounds or more of Bills in the Treasury that are received in Exchange as afore said, or otherwise defaced & unfit for Use at his Application to them, to take an Accompt of the Number of each of the Sorts of the said Bills & the Sum the whole amounts to & give the Treasurer Receipt for them, & burn the said Bills to Ashes, And make Report of their Doings to this Court as often as there shall be Opportunity, Whose Receipt shall be a Discharge to the Treasurer, equal to what the said Bills would have been if they had continued in his Hands.

Legislative
Records of the
Council, ix.,
409.

Ante, chap. 47.
Post, chap. 77.

Read & Concur'd & Eliakim Hutchinson, Penn Townsend, Addington Davenport & Thomas Hutchinson Esq^{rs} added to the Committee for the said Affair. [*Passed June 25.*]

CHAPTER 73.

ORD^R TO SURVEY A TRACT OF 6000 ACRES OF LAND GRANTED TO BRANTREY. [*Passed June 25.*]

Legislative
Records of the
Council, ix.,
409.

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTIETH DAY OF OCTOBER, A.D. 1714.¹

CHAPTER 74.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE FOR RUNNING THE
LINE BETWIXT TRUROE & Y^E PROVINCE LANDS. [*Passed October 21.*]

Legislative
Records of the
Council, ix.,
418.

[*Printed with resolves, orders, etc., "granting lands, establishing pre-
cincts and parishes, and determining territorial boundaries."*]

Ante, chap. 4.
Post, chap. 78.

CHAPTER 75.

ORDER APPOINTING A COMM^{TEE} TO CONSIDER & REPORT ON THE UN-
REASONABLE DUTIES DEMANDED AT NEW HAMPSHIRE.

THE FOLLOWING ORDER pass'd in the House of Representatives ; Viz,
This House having received several Complaints of unreasonable
Duties demanded & extorted by the Government of New Hampshire
from the Vessels belonging to & loading in this Province, which trans-
port Lumber &c down Piscataqua River, W^{ch} the Complainants are
ready to certify upon their Oaths ;

Legislative
Records of the
Council, ix.,
419.

Post, chap. 101.

Ordered that Cpt. Oliver Noyes, Coll. Adam Winthrop, Coll. Edmund
Quincey, Coll. Samⁿ Thaxter, & M^r Edw^d Hutchinson be a Committee
to join with such as the Hon^{ble} Board shall appoint to Consider & make
Report what they think proper to be done to remove or remedy so
grievous Impositions.

Read & Concur'd, And Elisha Hutchinson, Penn Townsend & An-
drew Belcher Esq^{rs} are joined of the Comm^{tee} for the Affair aboves^d.
[*Passed October 22.*]

CHAPTER 76.

ORDER APPOINTING A COMM^{TEE} FOR WAYS & METHODS TO FACILITATE
PAYMENTS.

THE FOLLOWING ORDER pass'd in the House of Representatives ; Viz,
In Consideration of the low Circumstances of the Province & the
Difficulty of Gathering the publick Taxes by Reason of the few pub-
lick Bills that are passing ;

Legislative
Records of the
Council, ix.,
419.

Ante, chap. 9.
Post, chap. 82.

Ordered that Coll. Adam Winthrop, Cpt. Oliver Noyes Coll. Edmund

¹ This is the *third* session of the year. The second session lasted but four days (Sep-
tember 29–October 2), and contains no legislation proper.

Quincey, Coll. Sam^{ll} Thaxter, M^r Jonathan Remington, Cpt. Sam^{ll} Phips & Daniel Parker Esq^r with such of the Hon^{ble} Board as shall be joined be a Committee, to Consider of proper Ways & Methods to facilitate Payments both publick & in Trade, And make their Report as Expeditionously as may be: Read & Concur'd, And Elisha Hutchinson & Sam^{ll} Sewall Esq^{rs} the Sec^{ry}. Andrew Belcher & Addington Davenport Esq^{rs} named of the Committee for the Affair abovesaid. [*Passed October 22.*]

CHAPTER 77.

VOTE ACCEPTING REPORT OF THE COMMITTEE APPOINTED TO BURN UNSERVICEABLE BILLS.

Legislative
Records of the
Council, ix.,
421.

Ante, chap. 72.
Post, chap. 98.
Legislative
Records of the
Council, ix.,
419.

IN OBEDIENCE to an Order of the Great & Gen^{ll} Court at their Session in May 26. 1714. Appointing us the Subscribers a Committee to take an Acc^o of torn & defaced Bills of Credit &c. And We have accordingly received the several Bills mentioned on the other Side & above of M^r Treasurer Allen, Amounting in the Whole to the Sum of Twelve Thousand & nine Pounds, eleven Shillings & nine Pence being Part of the Loan Money, as he informs us, & Caused them all to be burnt to Ashes this 12th Day of October 1714.

EDW^d HUTCHINSON¹

SAM^{LL} PHIPS.

OLIVER NOYES

ADAM WINTHIROP

ADDIN: DAVENPORT

THO: HUTCHINSON.

EL^N HUTCHINSON

PENN TOWNSEND

The aforegoing Report of the Committee; Read & ACCEPTED & Ordered That the Treasurer be discharged of the above Sum of Twelve Thousand & nine Pounds, eleven Shillings & nine Pence of the Bills of Credit. [*Passed October 22.*]²

CHAPTER 78.

VOTE ALLOWING £.9^{..} 12^{..} 6,³ TO Y^E COMM^{TEE} FOR RUNNING Y^E LINE BETWEEN TRURO & Y^E PROVINCE LANDS.

Legislative
Records of the
Council, ix.,
421.

Ante, chap. 74.

Voted That Nine Pounds twelve Shillings & six Pence be allowed & paid out of the publick Treasury to discharge the Accompt of John Otis Esq^r & others the Committee for Running y^e Line between the Lands of this Province & the Town of Truroe. [*Passed October 23.*]

CHAPTER 79.

ORDER APPOINTING A COMM^{TEE} TO ENQUIRE INTO THE DEBT OF THE PROVINCE.

Legislative
Records of the
Council, ix.,
422.

Ordered that Elisha Hutchinson Andrew Belcher & Thomas Hutchinson Esq^{rs} M^r Treasurer Allen & M^r John White named by the Council,

¹ Edw^d Goddard, in State Library copy, Legislative Records of the Council, ix., 360.

² There are several discrepancies, in the schedule which precedes the report, between the Secretary's record and that in the State Library.

³ In the Secretary's copy of Legislative Records of the Council, ix., 421, the marginal title erroneously gives the sum allowed as £12. 9. 6. instead of £9. 12. 6.

M^r Edward Hutchinson, M^r John Ruck M^r John Watson, Cpt. Samuel Phips & Seth Arnold Esq^r named by the Representatives be a Committee to inspect & examine publick Accompts, to know what Bills of Credit have bin made & issued, How many have been drawn in & burned, And to make & present an Accompt both of Debit & Credit, And Report the same that the Province Debt may be known. [*Passed October 23.*]

CHAPTER 80.

ORDER APPOINTING A COMM^{TEE} TO SETTLE THE BOUNDS BETWEEN THE COUNTIES OF PLIMOUTH & BRISTOL. [*Passed October 26.*]

[*Printed with resolves, orders, etc., "granting lands, establishing pre-incts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
423.

CHAPTER 81.

VOTE ADOPTING A PROCLAMATION FOR OFFICERS TO PROCEED IN Y^E EXECUTION OF THEIR OFFICES &c; Drawn up: Read & KNOWN.

UPON A MOTION made by a Message from the Represent^{ves} A Proclamation Requiring all Officers Civil & Military to proceed in the Execution of their several Offices &c; Drawn up: Read &

Legislative
Records of the
Council, ix.,
424.

ADVISED by the Council, And sign'd by the Govern^r. [*Passed October 27.*]

CHAPTER 82.

VOTE ACCEPTING THE COMM^{TEES} REPORT OF A METHOD TO FACILITATE PAYM^{TS}.

IN OBEDIENCE to an Order of the Great & Gen^l Court or Assembly of the Province of the Massachusetts Bay now sitting empowering Elisha Hutchinson Sam^l Sewall Esq^{rs} M^r Secretary Andrew Belcher & Addington Davenport Esq^{rs} for the Council; Coll. Adam Winthrop, Cpt. Oliver Noyes Coll. Edmund Quincey M^r Jonathan Remington, Cpt. Sam^l Phips, Daniel Parker Esq^r & Cpt. Peter Osgood for the House of Representatives, to be a Committee to consider of proper Ways & Methods to facilitate Payments both publick & private: We are humbly of

Legislative
Records of the
Council, ix.,
424.

Ante, chap. 76.

Opinion in Consideration of the low Circumstances of the Province & the Difficulty of Gathering the publick Taxes by Reason of the few publick Bills that are passing, That a further Sum of Fifty Thousand Pounds in Bills of Credit of the same Tenour with those already Emittid be forthwith made & put into the Hands of three Trustees to be named & appointed by the Gen^l Court (two of whom to be a Quorum) Any two of them to act in Case of the Death or Removal of the third untill the next Sessions of the Court: And the said Bills to be let out to the Inhabitants of this Province on a good Real Security within the same at Five per Cent. per Annum Interest, in Sums not exceeding Five Hundred Pounds nor under Fifty unto any one Person, for the Space or Term of five Years, And to be paid in again in like Bills of Publick Credit or Curr^t lawful Money of the Province, Viz, A fifth Part of the

Principal with the Interest each Year, And all Mortgages made or to be made, as a Security for the Bills so borrowed to be to the first Trustees & such others as shall from Time to Time be appointed by the General Court; And that the Trustees do give their Attendance at some stated Place in Boston two Dayes in the Week, & for their Reward or Allowance shall have one Penny in the Pound on so much as they shall let out to be equally divided between them; And the said Trustees in Letting out the said Bills are to have a special Regard to the Inhabitants of the several Towns of the Province, And therefore for the Space of three Months after their Receipt of any Part of the Bills, they are to make such a Reserve, As that the Inhabitants of each Town may have an Opportunity of Taking a Proportion thereof; The Profits & Improvement of the Bills so let out (necessary Charges being first deducted) to be & go towards Defraying the publick Charges of the Province as the Gen^l Court from Time to Time shall order & direct.

ELISHA HUTCHINSON *pro* Order of the Committee.

Read two several Times, Debated & ACCEPTED with the following Amendm^{ts} That is to say: That there be five Trustees under Oath, Three of which to be a Quorum: That the Allowance to the Trustees be Ten Shillings on a Hundred Pounds: That the Mortgagers be allowed to pay in the whole Principal or any lesser Sum not under one fifth Part with the Interest at the End of any one Year. [*Passed October 28.*]

CHAPTER 83.

Legislative
Records of the
Council, ix.,
425.

ORDER GRANTING A PRECINCT FOR THE WEST SIDE OF THE RIVER IN SUDBURY. [*Passed October 28.*]

Ante, chap. 6.
Legislative
Records of the
Council, ix.,
423.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 84.

VOTE ALLOWING £.2⁰ 0⁰ 6, TO W^m WEBSTER.

Legislative
Records of the
Council, ix.,
426.

Voted That the Sum of Two Pounds & six Pence be allowed and paid out of the publick Treasury to William Webster to discharge his Account of Nursing Benjamin Healy his Servant wounded in her late Majesties Service & for other Expence &c for y^e Publick. [*Passed October 28.*]

CHAPTER 85.

ORDER GRANTING LAND TO JOHN HIGGINSON. [*Passed October 29.*]

Legislative
Records of the
Council, ix.,
426.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 86.

VOTE OF INSTRUCTION TO M^R AG^T DUMMER ABOUT CAPE BRETON.

ON CONSIDERATION of the Progress the French are making towards a strong & powerful Settlement at Cape Breton & Parts Adjacent; And the great Damage that may probably accrue to these his Maj-
esties Plantations in Process of Time therefrom;

Legislative
Records of the
Council, ix.,
427.

Voted that M^r Agent Dummer be directed to improve any proper Opportunity that may offer to represent the same, & apply for the Rendition thereof to his Majesty, & that this Vote be covered in a Letter to the Agent as an Instruction. [*Passed October 29.*]

CHAPTER 87.

ORDER OF HEARING ON DAVID LOVERINGS PETITION FOR A NEW TRIAL.

UPON READING a Petition of David Lovering Citizen & Draper of London by John Marion his Attorney Praying that a new Tryal may be granted him of an Action of Review commenced & tried betwixt John Kembal & the Petitioner at the Superior Court of Judicature held in Middlesex on the last Tuesday in January 1706. Referring to the Title of a certain House & Land scituate in Watertown, the said John Kembal then Plaintiff being since Dec^d And that John Kembal his Son & sole Executor of the last Will & Testament of the Dec^d may be served with a Copy of this Petition:

Legislative
Records of the
Council, ix.,
428.

Legislative
Records of the
Council, ix.,
397.

Ordered that the Prayer of the Petition be granted; Viz, That John Kembal the Executor be served with a Copy thereof, & be heard before this Court on the second Wednesday of the next Session if any Thing he has to say, Why a new Hearing of the Cause therein mentioned should not be granted as prayed for. [*Passed October 30.*]

CHAPTER 88.

ORDER MAKING CHILMARK A TOWNSHIP. [*Passed October 30.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
428.

Legislative
Records of the
Council, ix.,
423, 428.

CHAPTER 89.

VOTE APPOINTING A THANKSGIVING.

THE DRAUGHT of a Proclamation, appointing a Gen^l Thanks Giving to be celebrated on Thursday the twenty fifth Currant through out the Province; Read & ADVISED to. [*Passed * November 1.*]

Legislative
Records of the
Council, ix.,
429.

Legislative
Records of the
Council, ix.,
414. Love's
Fast and
Thanksgiving
Days of New
England,
p. 488.

CHAPTER 90.

VOTE OF INSTRUCTION TO M^R AGENT DUMMER.

Legislative
Records of the
Council, ix.,
430.

Voted That it be a further Instruction to M^r Agent Dummer to endeavour the Obtaining an Act of Parliam^t allowing the Importation of Hops & Lumber from the Plantations into the Kingdom of Ireland, A Copy of this Vote to be covered in a Letter to him. [*Passed November 2.*]

CHAPTER 91.

ORDER MAKING NASHOBA LANDS A TOWNSHIP. [*Passed November 2.*]

Legislative
Records of the
Council, ix.,
430.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

CHAPTER 92.

RESOLVE ALLOWING TO WIG. SWEETSER £.25, FOR AN INDIAN BOY.

Legislative
Records of the
Council, ix.,
431.

UPON READING a Petition of Wigglesworth Sweetser, Praying Payment may be ordered him of the Sum of Twenty five Pounds, the prime Cost which he paid for an Indian Boy lately called for out of his Hands to be returned to the Indians at the Time of the late Pacification besides Charges in Keeping & Cloathing of him & for Doctors;

Legislative
Records of the
Council, ix.,
389, 428.

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury to the Petitioner in full of what shall be paid him by the Province on the Accompt of the Indian Boy mentioned in his Petition. [*Passed November 2.*]

CHAPTER 93.

ORDER ACCEPTING THE COMMITTEE'S REPORT ON THE DIVIDING LINE BETWIXT DEDHAM AND NEEDHAM. [*Passed November 3.*]

Legislative
Records of the
Council, ix.,
431.

[*Printed with resolves, orders, etc., “granting lands, establishing precincts and parishes, and determining territorial boundaries.”*]

Ante, chap. 14.

CHAPTER 94.

RESOLVE GRANTING TO HUGH PIKE AN ADDITION TO HIS PENSION THIS YEAR, & £.3, 15, FOR HIS SURGEON'S BILL.

Legislative
Records of the
Council, ix.,
432.

UPON READING a Petition of Hugh Pike wounded in the Service of this Province & a Pensioner to this Government, Praying an Addition to his Pension & Payment of his Surgeon;

Resolved that the Petitioners Pension be made up Twelve Pounds for this Year, And that the further Sum of Three Pounds fifteen Shillings be allowed & paid out of the publick Treasury to pay his Surgeons Bills. [*Passed November 3.*]

CHAPTER 95.

RESOLVE ALLOWING TO NICH^O PICKET £.20.

UPON READING a Petition of Nicholas Picket of Marblehead a Pensioner of this Government, Praying to be Enabled to pay his Surgeon for Cutting off & Cure of his Leg;

Legislative
Records of the
Council, ix.,
432.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to the Petitioner to pay the Surgeons &c. for their Operation in Cutting off his Leg & the Cure thereof. [*Passed November 3.*]

CHAPTER 96.

VOTE ALLOWING BROOKFIELD £.20, FOR YE MINISTRY.

Voted a Concurrence to a Resolve of the Representatives for Allowing Twenty Pounds towards the Maintenance of the Ministry in the Town of Brookfield the Year coming. [*Passed * November 5.*]

Legislative
Records of the
Council, ix.,
433.

CHAPTER 97.

ORDER FOR BUILDING A LIGHT HOUSE.

Ordered that a Light House be erected at the Charge of the Province at the Entrance of the Harbour of Boston on the same Place & Rates proposed in a Bill projected for the Town of Bostons Doing it, Accompanying this Vote, And that a Bill be drawn accordingly. [*Passed November 5.*]

Legislative
Records of the
Council, ix.,
433.

Province
Laws, ii., 7.

CHAPTER 98.

RESOLVE FOR EMITTING £.10,000, IN BILLS, &c.¹

Resolved that the Treasurer be & hereby is Directed & Impowered to issue forth & Emit the Sum of Ten Thousand Pounds in Bills of publick Credit on this Province (W^{ch} was Ordered by the General Court at their Session in October 1713: to be made & paid into the Treasury for the Drawing in the Ten Shilling & Three & six Penny Bills, & which was not applied to that Service) for Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government & the necessary Protection & Preservation of the Inhabitants of this Province, And for the Subsisting of Forts or Garrisons & Wages arising for their Service, for Payment

Legislative
Records of the
Council, ix.,
433.

Ante, chap. 77.
Post, chap. 103.

¹ Printed in the notes to the Acts of the year 1714, Province Laws, i., 752.

of Grants Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made upon him by Warrant or Order from the Governour by & with the Advice & Consent of the Council; And the said Bills (together with the Four Thousand Pounds of the like Bills Ordered to be emitted at the Session of this Court begun the 26th Day of May last) shall pass out of the Treasury at the Value therein express'd equivalent to Money, & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent More.

And as a Fund & Security for the same, there be & hereby is Granted to his most Excellent Majesty for the Ends & Uses afore said a Tax of Ten Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province, according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be Agreed on & Ordered by the Great & Gen^l Court or Assembly of this Province at their Session in May Anno 1720: Three Thousand Pounds thereof to be paid into the Treasury on or before the last Day of December next after, And the remaining Seven Thousand Pounds on or before the last Day of December 1721.

And WHEREAS in the Treasurers Accompts of Powder he charges him self with the Sum of Two Thousand forty seven Pounds eighteen Shill^{gs} & three Pence.

Voted that the Treasurer be discharged of the said Sum of Two Thousand forty seven Pounds eighteen Shillings & three Pence, He charging him self with One Hundred thirty six Barrels fifty two Pounds & three Quarters of Powder without putting any Value on the same, It being the Remainder of what was received in Specie for the Duty of Tunnage of Shipping, Pursuant to the Act of Assembly.

And WHEREAS the Town of Tiverton stands charged with the Sum of Thirty Pounds w^{ch} was assessed on them as Part of a Tax in the Year 1708.

Voted that the said Town of Tiverton be abated the said Sum of Thirty Pounds. [*Passed November 5.*]

CHAPTER 99.

ORDER FOR MAKING £.50000, IN BILLS.

Ordered that the Committee that made the last Bills of publick Credit on this Province be directed to make the Sum of Fifty Thousand Pounds more as expeditiously as may be off from the new Plates That is to say Thirty Thousand Pounds off from the highest Plate, Fifteen Thousand Pounds off from the Middle Plate, And Five Thousand Pounds off from the lowest Plate, & deliver them to the Trustees appointed by an Act of this Court made this Session for the Loan of that Sum taking their Receipt for the same, And that the Treasurer be directed to pay the said Committee for Making the said Bills, as they were paid for the Bills they last made: And for a present Accomodation of those that would borrow before the Bills can be made, The Treasurer is directed to lend to the said Trustees at their Desire such Sum & Sums of the new Bills in his Hands that he can spare, They repaying them, when they are enabled by the Committee. [*Passed November 5.*]

Legislative
Records of the
Council, ix.,
434.

Ante, chap. 46.
Legislative
Records of the
Council, ix.,
431.

CHAPTER 100.

ORDER APPOINTING A COMM^{TEE} TO LAY OUT RUTLAND. [*Passed November 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
434.

CHAPTER 101.

RESOLVE APPOINTING A COMM^{TEE} TO TREAT WTH A COMM^{TEE} OF N. HAMPSHIRE ABOUT THE DUTIES & FEES DEMANDED THERE &c.

UPON A CONFERENCE had between the Council & Represent^{ves} referring to the Aggrievance of the Fees & Duties demanded & received by the Officers in the Province of New Hampshire of the Vessels belonging to this Province passing up & down the River of Piscataqua into the Parts of this Province & for the Boards Lumber & other Things manufactured within the same brought down that River;

Legislative
Records of the
Council, ix.,
434.

Ante, chap. 75.

Resolved that all Votes pass'd at this Session concerning that Affair be withdrawn: And that Elisha Hutchinson & Andrew Belcher Esq^{rs} named by the Council, Cpt. Oliver Noyes M^r Edward Hutchinson & M^r Jonathan Remington named by the Representatives be a Committee to meet with a Committee of the Government of New Hampshire to sit at Boston, as soon as may be at his Excellencies Appointment, Who are empowered to confer with them of the Grounds & Pretensions of the Demanding & Exacting of such Duties & Fees or any other Grievance of Difference what soever, betwixt the two Governments, alwaies Asserting our equal Right in that River, Making Report of the Issue of their Conference to this Court at their next Session; And his Excellency is Requested to bring forward such Conference by the Committee of New Hampshire appointed for that End, And to write a Letter to the Government of that Province to prevent all Inconveniences on that Head untill the Issue of such Conference. [*Passed November 5.*]

CHAPTER 102.

RESOLVE APPOINTING A COMM^{TEE} TO RECEIVE CLAIMS TO LANDS IN THE LATE PROV. OF MAIN, & FOR THE SETTLEM^T OF TOWNSHIPS THERE. [*Passed November 5.*]

[*Printed with resolves, orders, etc., "granting lands, establishing precincts and parishes, and determining territorial boundaries."*]

Legislative
Records of the
Council, ix.,
435.

CHAPTER 103.

ORDER AGST EMITTING BILLS OF CREDIT AS A MEDIUM OF EXCH^A WITHOUT ALLOW^A.¹

A PROJECTION or Scheme for Establishing a Fund or Bank of Credit upon a Land Security which may give the Bills issued therefrom a Gen-

Legislative
Records of the
Council, ix.,
436.

Printed in the note to the Act of November 10, 1743-44, Province Laws, iii., 138.

Ante, chap. 98.

eral Currency; Sent up from the Representatives with an Order pass'd thereon, That is to say;

Ordered that no private Company or Partnership proceed to the Making or Emitting of any Bills of Credit, as a Medium of Exchange in Trade without the Allowance & Approbation of this Court.

Read & Concur'd. [*Passed November 5.*]

CHAPTER 104.

RESOLVE ALLOWING £.250, TO THE GOV^R.

Legislative
Records of the
Council, ix.,
436.

Ante, chap. 55.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the publick Treasury to his Excellency Joseph Dudley Esq^r Captain Gen^l & Govern^r in Chief of this his Majesties Province for his Support in Managing the Affairs of the Govern^t. [*Passed November 5.*]

CHAPTER 105.

RESOLVE ALLOWING £.80, TO IS^A ADDINGTON ESQ^R.

Legislative
Records of the
Council, ix.,
436.

Ante, chap. 55.

Resolved that the Sum of Eighty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} Isaac Addington Esq^r for his extraordinary Service for this Province for the Year Curr^t. [*Passed November 5.*]

CHAPTER 106.

RESOLVE ALLOWING £.30, TO JN^O WHITE.

Legislative
Records of the
Council, ix.,
436.

Ante, chap. 59.

Resolved that the Sum of Thirty Pounds be further allowed & paid out of the publick Treasury to John White Clerk of this House for his Service in the Year Currant. [*Passed November 5.*]

CHAPTER 107.

RESOLVE ALLOWING £.5, TO JN^O WHITE.

Legislative
Records of the
Council, ix.,
436.

Ante, chap. 40.

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to John White Clerk of this House for his Service as Clerk of the Conferences at the late Interview of his Excellency the Governour & General Nicholson with the Delegates of the Eastern Indians at Piscataqua, & for his Service as Clerk of the Congress at Rehoboth. [*Passed November 5.*]

CHAPTER 108.

RESOLVE ALLOWING £.10, TO JA. MAXWELL.

Legislative
Records of the
Council, ix.,
437.

Ante, chap. 65.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r James Maxwell, in Consideration of his formerly having been a good Servant of this Court, & his present Circumstances in his Advanced Age. [*Passed November 5.*]

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1715-16.

LEGISLATIVE LIST¹

FOR

1715-16.

HIS EXCELLENCY JOSEPH DUDLEY [*until October 18, 1715*],

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

[WILLIAM TAILER, LIEUTENANT GOVERNOR, *from November 23, 1715.*]

SAMUEL WOODWARD, Esq.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM TAILER
WAIT WINTHROP
ELISHA HUTCHINSON
SAMUEL SEWALL
ELISHA COOK
JOHN APPLETON
JOHN HIGGINSON
ANDREW BELCHER
EDWARD BROMFIELD

} ESQRS.

NATHANIEL NORDEN
BENJAMIN LYNDE
JOHN CLARK
ADDINGTON DAVENPORT
THOMAS HUTCHINSON
SAMUEL BROWN
JOHN PYNCHON
THOMAS OLIVER
THOMAS FITCH

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW
NATHANIEL PAYNE

} ESQRS.

JOHN CUSHING
JOHN OTIS

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Main;

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ICHABOD PLAISTED, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, Esq.

¹ See Legislative Records of the Council, ix., 439-441.

For the Province, at large:—

NATHANIEL BYFIELD & EDMUND QUINCEY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 25, 1715 to December 22, 1715.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . Col. Adam Winthrop,
 Capt. Oliver Noyes,
 Mr. William Payne,
 Mr. Elisha Cook.
Roxbury, . . . Mr. William Denison.
Dorchester, . . Mr. Hopestill Clap.
Milton, . . . Mr. Ephraim Tucker.
Brantree, . . . Mr. Joseph Allen.
Weymouth, . . Capt. Stephen French.
Hingham, . . . Samuel Thaxter, Esq.
Dedham, . . . Mr. John Fuller.
Medfield, . . . Capt. John Boyden.
Mendon, . . . Mr. Samuel Thayer.
Wrentham, . . Mr. John Guild.
Woodstock, . . Mr. Samuel Payne.

COUNTY OF MIDDLESEX.

Cambridge, . . Mr. Jonathan Remington.
Charlestown, . Capt. Charles Chambers.
Watertown, . . Mr. Samuel Sternes.
Newtown, . . . Mr. John Ward.
Sudbury, . . . Mr. Edmund Rice.
Marlborough, . Mr. Thomas Rice.
Sherburn, . . . Capt. Joseph Morse.
Lancaster, . . . Mr. John Houghton.
Frammingham, . Major Joseph Buckminster.
Groton, . . . Mr. Thomas Tarball.
Concord, . . . Mr. William Wilson.
Chelmsford, . . Mr. Stephen Pierce.
Billerica, . . . Lieut. John Sternes.
Woburn, . . . Capt. Josiah Converse.
Medford, . . . Capt. Peter Tufts.
Stow, . . . Mr. John Butterick.
Reading, . . . Mr. Timothy Wily.
Malden, . . . Mr. John Greenland.
Lexington, . . Mr. Francis Bowman.
Weston, . . . Capt. Francis Fulham.

COUNTY OF ESSEX.

Salem, . . . Daniel Epes, Esq.,
 Capt. Peter Osgood.
Ipswich, . . . Mr. John Appleton,
 Mr. Nathaniel Knolton.

COUNTY OF ESSEX — *Concluded.*

Lynn, . . . John Burrill, Esq.
Marblehead, . Mr. James Cawley.
Beverly, . . . Mr. Samuel Balch.
Wenham, . . . Capt. Thomas Fiske.
Topsfield, . . Mr. Tobijah Perkins.
Andover, . . . Mr. Benjamin Stevens.
Bradford, . . . Mr. John Huckens.
Haverhill, . . Capt. John White.
Boxford, . . . Mr. Joseph Hale.
Rowley, . . . Mr. Ezekiel Northen.
Newbury, . . . Mr. William Moodey.
Salisbury, . . Mr. Joseph Eaton.
Amesbury, . . Mr. John Foot.
Glocester, . . John Newman, Esq.

COUNTY OF HAMPSHIRE.

Springfield, . Luke Hitchcock, Esq.
Northampton, . Joseph Parsons, Esq.
Hatfield, . . . Mr. John Patridge.
Hudley, . . . Mr. Daniel Marsh.
Westfield, . . Mr. John Ashley.
Suffield, . . . Mr. Atherton Mather.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Simon Davis.
Taunton, . . . Mr. Henry Hodges.
Swansey, . . . Mr. John Rogers.
Rehoboth, . . Mr. Moses Read.
Little Compton, Capt. William Southworth.
Dighton, . . . Mr. Benjamin Jones.
Tiverton, . . . Mr. William Manchester.
Norton, . . . George Leonard, Esq.
Attleboro, . . . Mr. David Freeman.
Dartmouth, . . Mr. Jonathan Delane.

COUNTY OF PLIMOUTH.

Plimouth, . . James Warren, Esq.
Scituate, . . . Mr. Samuel Clap.
Marshfield, . . Capt. Isaac Little.
Duxbury, . . . Capt. Seth Arnold.
Bridgewater, . Mr. Edward Fobes.
Rochester, . . Mr. John Randal.

COUNTY OF PLIMOUTH — *Concluded.*

Pembroke, . . Capt. Thomas Barker.
Middleboro', . . Mr. John Bennet.

COUNTY OF BARNSTABLE.

Barnstable, . . Mr. Joseph Lothrop.
Sandwich, . . Mr. John Chipman.
Yarmouth, . . Mr. Joseph Hall.
Eastham, . . Mr. Samuel Mayo.
Harwich, . . Mr. Gershom.
Truroe, . . . Mr. Constant Freeman.

COUNTY OF YORK.

York, Abraham Prebble, Esq.
Kittery, . . . Mr. Joseph Hammond.
Berwick, . . . Mr. Elisha Plaisted.

DUKES COUNTY.

Edgar Town, } Major Benjamin Skiffe.
Chilmark, . }

NANTUCKET.

James Coffin, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-FIFTH DAY OF MAY, A.D. 1715.

CHAPTER 1.

RESOLVE ALLOWING £20. TO JN^o SMALLPIECE.

UPON READING a Petition of John Smallpiece of Boston who was blown up by Powder in Endeavouring to save what he could out of the Impost Office wⁿ¹ the same was demolished by Fire in November last, & thereby lost the Use of his Hands & Legs;

Resolved That the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to John Small piece the Petitioner towards his Relief. [*Passed May 28.*]

Legislative
Records of the
Council, ix.,
442.

House Jour-
nal, p. 3.

CHAPTER 2.

RESOLVE ALLOWING £5. 2. TO EDW^d PELL.

Resolved that the Sum of Five Pounds & two Shill^{gs} be allow'd & paid out of the publick Treasury to Edward Pell to discharge his Accompt presented.² [*Passed May 28.*]

Legislative
Records of the
Council, ix.,
442.

House Jour-
nal, p. 3.

CHAPTER 3.

RESOLVE ALLOWING £40. 16. 8. TO WILLIAM PAYNE.

Resolved that the Sum of Forty Pounds sixteen Shillings & eight Pence be allowed & paid out of the publick Treasury to William Payne to discharge his Accompt presented.³ [*Passed May 28.*]

Legislative
Records of the
Council, ix.,
442.

House Jour-
nal, p. 3.

CHAPTER 4.

ORDER FOR A HEARING UPON THE PETITION OF RICH^d COOMES &
HEPHSIBAH HIS WIFE.

UPON READING a Petition of Richard Coomes & Hephshibah his Wife, Praying the Equity of Redemption of an Estate in Roxbury mortgaged in the Year 1691. to Florence Mac-Carty late of Boston Butcher Dec^d by their Father Joseph Newell Dec^d

Legislative
Records of the
Council, ix.,
443.

¹ MS. obscure.

² "For painting Seats &c^t in y^e Representatives Chamber." — Mass. Archives, cxxiii., 49.

³ "For making Seats &c^t in the Representatives Chamber." — *Ibid.*

Post, chap. 65.
House Jour-
nal, p. 5.

Ordered that a Hearing be granted on this Petition before this Court on Fryday next at ten a Clock in the Forenoon, And the Petitioners serve the Adverse Party with a Copy of this Petition, & a Notification that they may then be heard, if they have any Thing to alledge why the Prayer of the Petition should not be granted. [*Passed May 30.*]

CHAPTER 5.

ORDER OF HEARING ON THE PETITION OF COHASSET IN Y^E TOWNSHIP OF HINGHAM.

Legislative
Records of the
Council, ix.,
444.

House Jour-
nal, p. 6.

UPON READING a Petition of sundry of the Inhabitants of Cohasset in the Township of Hingham, Setting forth that they are very remote from the Place of Publick Worship in the Town of Hingham, so that it is very hard & difficult for them to attend the publick Worship there; Praying that they may have a suitable Quantity of Lands & Inhabitants sett off for a Precinct, to maintain the publick Worship of God among them selves;

Ordered that the Petitioners serve the Town of Hingham with a Copy of this Petition, And that they be heard before this Court on the eighth Day of June Currant, If they have any Thing to offer why the Prayer thereof should not be granted. [*Passed June 1.*]

CHAPTER 6.

RESOLVE ALLOWING £130. 3. 7. TO SUNDRY PERSONS.¹

Legislative
Records of the
Council, ix.,
445.

House Jour-
nal, p. 7.

THE ACCOMPTS of several Persons having been inspected by a Committee of the Represent^{es} & the several Sums annexed to their Names allow'd them; Viz,

D^r Rob^t Ellis for Medicines to the Prisoners, Nine Pounds fifteen Shillings.

M^r Thomas Tarbell, Five Pounds, seventeen Shillings

To Joseph Kellog as per Acc^o Three Pounds fifteen Shillings²

To Cpt. Baker, Twelve Pounds four Shillings

To the Hon^{ble} Samuel Patridge Esq^r for his extraordinary Service for six Years in the late War, Twenty five Pounds.

To Coll. Patridge's Acc^o N^o 1. Twenty two Pounds twelve Shillings & ten Pence.

To Coll. Patridges Acc^o N^o 2. Twenty one Pounds one Shilling & five Pence

Resolved that the Sum of One Hundred & thirty Pounds, three Shillings & seven Pence be allowed & paid out of the publick Treasury to the several Persons named in the above Accompt, according to the Sums annexed to their Names for the Discharging the said Accompts. [*Passed June 1.*]

¹ The total sum granted to the persons above-named, in the resolve, falls short of the amount granted by £29. 18. 4. But the margin of the Secretary's record has the words, "To Martin Kellog Twenty nine Pounds eighteen Shillings & four Pence."

² For money "lent to Martin Kellogg which he expended in procuring captives from Canada." — Mass. Archives, cxxiii., 55.

CHAPTER 7.

VOTES ABOUT THE PORT OF KITTERY.

Voted that the Right of this Province in & to the River commonly called Piscataqua River be asserted & maintained: That a Breast Work of six Guns be erected in some convenient Place in the Town of Kittery for the Defence of the River: That six Guns with Shot & Carriages be ordered to the Town of Kittery upon their Erecting a Breast Work & Plat-Form & Obliging them selves to maintain the same: That his Excellency be desired to give his Orders accordingly: That it is for his Majesties Service, that a Naval Office be kept in the Port of Kittery, to avoid the unreasonable Duties or Impositions exacted from the Inhabitants of this Province passing in & out the said River from the Naval Officer of the Government of New Hampshire: That all Ships & other Vessels that load or unload at the Port of Kittery be obliged to Enter & Clear with the Naval Officer there, & pay the Duties of Impost & Powder Money according to Law: That all Harbours in Kittery & Berwick shall belong to the Port of Kittery.

Legislative
Records of the
Council, ix.,
445.

House Jour-
nal, p. 6.

By his Excellency the Governour: I Agree to this Vote & the Establishment of a Naval Officer at Kittery, so soon as the Breast Work for six Guns be built & the Guns mounted. [*Passed June 1.*]

CHAPTER 8.

ORDER OF HEARING ON THE PETITION OF CPT. MATTHEW WHIPPLE &c.

UPON READING a Petition of Cpt. Matthew Whipple & others, Inhabitants of the New Precinct in Ipswich called the Hamlet, on Behalf of them selves & the said Precinct Praying, That a Farm called Saltonstalls Farm & the Neighbouring Inhabitants may be sett off to & made a Part of the said Precinct, And likewise a Petition of sev^{al} of the said Neighbouring Inhabitants, Praying to be dismiss'd from the Town of Ipswich & Incorporated with the said new Precinct

Legislative
Records of the
Council, ix.,
445.

House Jour-
nal, p. 7.

Ordered that the Petitioners serve the Town of Ipswich with a Copy of both these Petitions, Who may be heard before this Court if they have any Thing to object against the Prayer thereof on the tenth Day of this Month if the Court continue sitting so long, otherwise on the first Fryday of the next Session. [*Passed June 1.*]

CHAPTER 9.

ORDER OF HEARING ON THE PETITION OF BRIDGEWATER INHABITANTS.

UPON READING a Petition of sundry of the Inhabitants of y^e Town of Bridgewater, Setting forth that the Habitations of many in the Easterly Part of the said Town are very remote from the Place of Publick Worship, so that they cannot without great Difficulty attend the publick Worship of God, Praying that a Dividing Line may be made through the Center of the said Town extending from North to South, And that the Inhabitants of the Easterly Part of the s^d Town may be made a distinct Precinct for the Worship of God among them selves;

Legislative
Records of the
Council, ix.,
446.

House Jour-
nal, p. 8.

Ordered that the Petitioners serve the Town of Bridgewater with a Copy of this Petition, And that a Hearing be granted on the first Tuesday of the next Session of this Court, If they have any Thing to alledge, Why the Prayer thereof should not be granted. [*Passed June 1.*]

CHAPTER 10.

ORDER OF HEARING ON THE PETITION OF THE EAST & WEST PRECINCT IN NEWBURY.

Legislative
Records of the
Council, ix.,
446.

House Jour-
nal, p. 9.

UPON READING a Petition of sundry of the Inhabitants of the East & West Precincts in Newbury Shewing, That since the Pulling down the former Meeting House & Erecting an other at Pipe Stave Hill they have laboured under great Difficulties with respect to the publick Worship of God, Praying that those Inhabitants of the West Precinct who dwell below Artichoak River may be dismiss'd to join with those of the East Precinct lately dismiss'd by a publick Vote, That so they may be jointly made a Middle Precinct & become a distinct Society for Maintaining the publick Worship of God among them selves, Which the Eastern Precinct have consented to but the Western have not;

Ordered that the Petitioners serve the Western Precinct with a Copy of this Petition & Notify them that they may be heard before this Court on Fryday the tenth Currant, if they have ought to alledge why the Prayer thereof should not be granted. [*Passed June 1.*]

CHAPTER 11.

VOTE REAPPOINTING THE OLD COMMITTEE TO FIX YE SPOT FOR A MEETING HOUSE IN NEWTON.

Legislative
Records of the
Council, ix.,
443.

House Jour-
nal, p. 11.

A PETITION of the Select Men of Newtown in Behalf of the Inhabitants of the said Town, Praying that a Committee may be appointed by the Court for Prefixing the certain Spot for Setting up a Meeting House for the publick Worship of God for the Use of the whole Town; Read &

Accepted, And The last Committee whereof John Otis Esq^r was Chair Man are appointed a Committee to go upon the Place, & Prefix the certain Spot for Erecting a Meeting House, & this to be a final Settlem^t of the Town referring to the Place for Erecting a House for the publick Worship of God. [*Passed June 2.*]

CHAPTER 12.

ORDER ON THE PETITION OF JN^o BRIGHAM FOR CONFIRMATION OF A GRANT OF LAND.

Legislative
Records of the
Council, ix.,
447.

House Jour-
nal, p. 10.

UPON READING a Petition of John Brigham of Sudbury, Praying a Confirmation of Two Hundred Acres of Land granted by this Court in the Year 1677: to Thomas Eames & purchased by him of John Eams Son & Heir to the said Thomas Eames, & laid out by the said Brigham in the Year 1686. Viz, Laid out Two Hundred Acres of Land in the Wilderness adjoining to Lancaster Line being their South West-erly Bounds, at an old Indian Field, Northerly of a Pond commonly called & known by the Name of Rocky Pond, as it is signified in the

Plat, & is bounded every Way by the Countrey Land only as it adjoins to Lancaster Line, the Lines are extended by marked Trees; Surveyed by John Brigham;

Ordered that this Plat be allowed & confirm'd as the Two Hundred Acres of Land granted by this Court to Thomas Eames of Framingham the twenty third Day of May 1677: Provided it doth not interfere with any former Grant. [*Passed June 2.*]

CHAPTER 13.

RESOLVE ALLOWING £10. TO THO. TARBOLL.

UPON READING a Petition of Thomas Tarboll of Groton Praying Consideration & Allowance for his Time & Expences in Going to Canada with Major Stoddard & M^r Williams in the Year 1713: to recover the Captives;

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r John Tarboll the Petitioner for his Service being voluntary. [*Passed June 2.*]

Legislative
Records of the
Council, ix.,
447.

House Jour-
nal, p. 9 *bis.*

CHAPTER 14.

ORDER GRANTING AND CONFIRMING LAND TO SHERBURN.

UPON READING a Petition of Joseph Morse Representative & the Select Men of the Town of Sherburn in Behalf of the said Town, Praying that a Plat of Four Thousand Acres of Land (therewith exhibited) laid out & protracted by Thomas White Surveyour (Pursuant to a Grant of this Court, at their Sessions in June 1710.) on the West Side of Mendon may be confirmed to the said Town of Sherburn;

Ordered That the Land therein Described be Allowed Granted, and Confirmed to the Town of Sherbourn as an Equivalent for the Seventeen families laid to Framingham mentioned in the Plat. Provided It Intrench upon no former Grant. [*Passed June 3.*]

Legislative
Records of the
Council, ix.,
448. Maps and
Plans, iv., 39.

House Jour-
nal, p. 11.

CHAPTER 15.

VOTE PASSING THE TREAS^{RS} ACC^{TS}.

THE ACCOMPTS of M^r Jeremiah Allen, Treasurer & Receiver Gen^l of this Province beginning the 31st Day of May 1714: And Continued unto the 26th Day of May 1715. Amounting to the Sum of Eighty three Thousand eight Hundred & one Pounds ten Shillings & eleven Pence, Having been presented & laid before the House of Representatives and inspected by said House; By which it appears there was standing out on the said twenty sixth Day of May Seven Thousand seven Hundred & seventy five Pounds three Shillings & eight Pence of the Taxes, Fourteen Thousand two Hundred & nine Pounds & two Pence, neet Province Bills, & Four Thousand four Hundred & sixty three Pounds fourteen Shillings & two Pence Province Bills with the five per Cent.

Legislative
Records of the
Council, ix.,
448.

House Jour-
nal, p. 10.

Advance thereon, to be drawn into the Treasury, & further to be accounted for

Voted that the said Accompts in the several Articles of Receipts & Payments therein mentioned, Amounting unto the Sum of Fifty one Thousand three Hundred & four Pounds One Shilling & nine Pence be & are hereby approved & allowed of; And the said Treasurer is hereby discharged of the said Sum of Fifty one Thousand, three Hundred & four Pounds one Shilling & nine Pence. [*Passed June 3.*]

CHAPTER 16.

RESOLVE ALLOWING £5. TO JOSEPH HAMMOND.

Legislative
Records of the
Council, ix.,
449.

House Jour-
nal, p. 12.

UPON READING a Petition of Joseph Hammond of York, Praying to have a proper Allowance for his Time & Expences, being out ten Days, assisting with others appointed by the Governour & Council in April 1714, Pursuant to a Resolve of the General Assembly, to discover & determine a proper Place for Settling a Town at or near Casco Bay;

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to M^r Joseph Hammond the Petitioner, for his Service set forth in his Petition. [*Passed June 3.*]

CHAPTER 17.

ORDER APPOINTING A COMMITTEE UPON Y^E MEM^O OF Y^E TOWNS IN THE COUNTY OF HAMPSHIRE.

Legislative
Records of the
Council, ix.,
449.

House Jour-
nal, p. 12.

UPON READING a Memorial of the Representatives of the several Towns in the County of Hampshire, Humbly proposing That a Committee may be appointed to discover & report where a Road for Carts or Waggon may be most conveniently made from Marlborough to Springfield & from Brookfield to Hadly;

Ordered that Coll. Sannel Thaxter, M^r William Wilson & Joseph Parsons Esq^r be a Committee to discover, & report the most convenient Course for the Roads proposed in this Memorial together with a Computation of the Charge it will probably demand to make them passable; PROVIDED the Petitioners or the County of Hampshire will bear the Charge of the Comm^{tee}. [*Passed June 4.*]

CHAPTER 18.

ORDER ON THE PETITION OF JOSEPH GREEN OF SALEM CLERK.

Legislative
Records of the
Council, ix.,
450.

House Jour-
nal, p. 12.

UPON READING a Petition of Joseph Green of Salem Clerk, Praying for a Surveyour to be appointed to lay out a Farm of Three Hundred Acres. formerly granted by the General Court to Marshall Gen^l Edward Mitcheson (now belonging to the Petitioner) The Laying out of that & M^r Green the Printers Farm interfering with one another;

Ordered that the Petitioner may employ an able sworn Surveyour with Men under Oath to carry the Chain to lay out so much of the Province Lands adjoining to Mitchelsons Farm, as by Mistake was taken up of Greens Farm, in the first Laying out of Mitchelsons Farm,

So as that the said Mitchelsons Farm may contain Three Hundred Acres, as at first granted, And lay a Plat thereof before this Court for Confirmation. [*Passed June 4.*]

CHAPTER 19.

ORDER CONFIRMING PLAT OF LAND TO Y^E HEIRS OF SIMON BRADSTREET.

A PLAT of One Thousand Acres of Land laid out by Thomas White Surveyour contiguous to the Town of Mendon, being employed by the Heirs of Simon Bradstreet Esq^r Dec^d formerly Governour of the Province of the Massachusetts Bay, Pursuant to a Grant of this Court made Nov. 21. 1702. Presented for Confirmation:

Legislative
Records of the
Council, ix.,
450. Maps and
Plans, iv., 23.
House Jour-
nal, p. 14.

Ordered That the Land Platted on the other Side be Confirmed to Such of the Heires of Simon Bradstreet Esq^r dec^d as of Right the Grant made by this Court in Nov^r 1702. of One Thousand acres of Land Doth belong. Provided It doth not exceed the quantit[y] of One Thousand Acres: nor Intrench upon any former Grants. [*Passed June 7.*]

CHAPTER 20.

ORDER ON JON^A HASTINGS'S PETITION, IN REGARD TO CERTAIN JUDGMENTS AGAINST HIM.

UPON READING a Petition of Jonathan Hastings of Cambridge Setting forth That he being cast in two Actions brought by him, One against Job Bull of Boston Butcher & Sarah his Wife, Executrix of the last Will & Testament of her late Husband Richard Sherren, And the other against Job Bull & Sarah his Wife late Sarah Sherren at the Inferiour Court at Charlestown on the second Tuesday of December 1714: Appealed to the Superiour Court held at Charlestown afore said upon the last Tuesday of January last past, but thrô Inadvertency & Oversight both his Reasons of Appeal were mistaken & his Actions were dismist upon the Appellees complaining thereof, PRAYING a Hearing of the said Actions at the next Superiour Court to be holden at Cambridge within & for the County of Middlesex as thô the same properly lay before that Court by Appeal;

Legislative
Records of the
Council, ix.,
451.
House Jour-
nal, p. 14.

Ordered that the Petitioner serve the Adverse Party with a Copy of this Petition, & Notify them that they may be heard before this Court on Fryday next, If they have Plea to make why the Prayer thereof should not be granted. [*Passed June 8.*]

CHAPTER 21.

RESOLVE ALLOWING £10. TO SERG^T TUCKER.

UPON READING a Petition of Serg^t Dan^l Tucker wounded in her late Majesties Service, & taken Prisoner by the Indians, Praying for some Allowance;

Legislative
Records of the
Council, ix.,
451.

House Journal, p. 16.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Daniel Tucker the Petitioner towards his Support. [*Passed June 8.*]

CHAPTER 22.

ORDER ON YE PETITION OF YE INHABTS OF COHASSETT.

Legislative Records of the Council, ix., 452.

House Journal, pp. 16, 17.

IN THE CASE of the Inhabitants of Cohasset in the Township of Hingham upon their Petition to have a suitable Quantity of Lands & Inhabitants sett off for a Precinct to maintain the publick Worship of God among them selves; Heard this Day:

Ordered that John Cushing, Thomas Fitch, Thomas Oliver & Edmund Quincey Esq^{rs} or any three of them be a Committee with such as the Representatives shall add unto them, To repair to Hingham, Giving a Weeks Notice to the Select Men of the said Town, That they may appoint & warn a Town Meeting, And that the said Committee do proceed to hear the Town & the Petitioners on the Articles mentioned in the Petition, And that they use all Means that the Petitioners may be peaceably established in the Support of a Minister at Cohasset as is desired, And that they make Report of their Proceedings to the next Sessions of the Gen^l Assembly: Sent down

And Concur'd by the Representatives; PROVIDED that two Months Time be first allowed to the Petitioners, to apply them selves in a suitable Manner to the Town, That the Affair may in the most peaceable Methods be accomodated among them selves; But if after the said Time is expired the Petitioners (having so applied them selves without Success) Do attend the Committee herein constituted with their Desire, That in such Case, Cpt. Stephen French, Seth Arnold Esq^r M^r John Ward, Cpt. Isaac Little & Coll. Adam Wintthrop (Any four of them to be a Quorum as to this House) are nominated to join with the Committee of the Hon^{ble} Board for the Service above mentioned: Agreed in Council. [*Passed June 8.*]

CHAPTER 23.

ORDER FOR BUILDING A LIGHT HOUSE.

Legislative Records of the Council, ix., 453.

House Journal, p. 18.
Province Laws, ii., 7.

Ordered that a Light House be Erected at the Charge of this Province at the Entrance of the Harbour of Boston on the same Place & Rates proposed in a Bill projected for the Town of Bostons Doing it, Accompanying this VOTE, And that a Bill be drawn accordingly. [*Passed June 9.*]

CHAPTER 24.

RESOLVE ALLOWING £12. 15. TO ROWL^D DYKE.

Legislative Records of the Council, ix., 453.

House Journal, p. 18.

[UPON] AN ACCOMPT of Rowland Dyke of Dining the Hon^{ble} House of Representatives on the Day of Electing Councillours, Amounting to the Sum of Twelve Pounds fifteen Shillings;

Resolved that the Sum of Twelve Pounds fifteen Shillings be allowed & paid out of the publick Treasury to Rowland Dyke the Accomptant to discharge the said Acc^o. [*Passed June 10.*]

CHAPTER 25.

VOTES RELATING TO A NEW SETTLEMENT EASTWARD.

IN ANSWER to the Proposal of Thomas Hutchinson & John Wentworth Esq^{rs} in Behalf of them selves & Partners; Recommended by the Comm^{tee} of the Eastern Claims, for the Settling of two Towns forthwith in a regular & defensible Manner;

Legislative
Records of the
Council, ix.,
453.

Voted that the said Towns proposed to be settled be accepted & encouraged according to their Report:

Legislative
Records of the
Council, ix.,
453. House
Journal, p. 15.
Province
Laws, ii., 9.

That the Land platted for a Town from Pejepscott Falls to Maquoit in Casco Bay be constituted a Township to be laid out the Quantity of Six Miles square as the Land will allow, And to be called by the Name of BRUNSWICK & forthwith settled in a defensible Manner: That the other Town platted in the Square of a Mile to the Eastward of Androscoggen River, fronting to Merry Meeting Bay be allowed & Accepted by the Name of TORSHAM, & be platted & laid out the Quantity of Six Miles square as the Land will allow, And a Return made in some convenient Time to this Hon^{ble} Court:

Voted that, for the Satisfaction & Encouragement of those that offer to settle in the said Towns That this Court give a Confirmation to their Purchase as bounded & laid down in their Proposals with a Saving for any & all other Grants Titles, Interest or Estates that may be found within the same, And particularly that of Harvard College, And with a Reservation of the Rights Improvements or Possessions of any Inhabitants or Proprietors; PROVIDED alwaies & It is to be understood, that those Persons shall be subject to such Regulations of this Court as have been made for their Settling in a defensible Manner:

Voted that the said Townships be freed from the Province Taxes for the Space of Five Years from their first Settling down, & this Court do Encourage the Ministry, as shall appear reasonable to them, Provided the Proposers on their Part perform what they offer for Encouraging a Ministry, Minister & School, And Proceeding forthwith to grant such Tracts in Fee to such as will settle there; And in Order to the Covering these Settlements, The Stone Fort near Pejepscot Falls be repaired, And that fifteen Men, one of which to be a Sergeant, with a Commission Officer upon Eusigns Pay, be placed there for the Protection & Assistance of the new Settlements, in the Room of the Fort or Trading House at Casco; Which being much out of Repair, We are of Opinion, It is for his Majesties Service, That it be slighted & no longer continued: That his Excellency the Govern^r be desired to give his Orders accordingly & also for the Enlisting five Men, W^{ch} with ten Men taken from Casco makes the Compliment for Brunswick; AND in Answer to the Representation of M^r Edward Hutchinson they humbly offer, That the other Twenty Men of the Compliment that is now at Casco be removed to Arrowsick Island for their Covering for the Space of Six Months & no more, Agreeable to the Grant of the General Court:

Voted that Major John Wheelwright M^r Abraham Prebble, M^r Joseph Hammond, Charles Frost Esq^r Cpt. John Leighton, And any three of them be a Committee to prosecute the regular Settlements of the Eastern Frontier, And that in Answer to the Petition of the Proprietors of Cape Porpus & Black Point to the Committee of Claims, The said Comm^{tee} be directed to lay out the Town Platts in a regular & defensible Manner at the Charge of the Proprietors, & of such other Towns as shall offer, Agreeable to the Order of the Court:

Voted that the Memorials offered by the Rev^d M^r Samuel Emery &

Mr Samuel Moody be referred to the said Committee, to report the State of Winter Harbour:

Voted that agreeable to the Report of the Committee of Claims, relating to a Road to the Eastern Settlements, We are of Opinion, That it is necessary that a Road be laid out in the most convenient Place from Wells or Newichawonnock to Pejepscot Falls as shall be thought most convenient & practicable, And a Computation made of the Charge be laid before this Court, And that it be an Instruction to the said Committee to Cause the same to be [performed]¹ and to make their Report of the Place & Charge; And that a Committee of both Houses be appointed to prepare the Draught of an Act for Settling & Quieting the Titles of the Lands that are to the Eastw^d of Piscataqua River.

By his Excellency the Governour: At the Desire of the Council and Representatives, I shall give Warrants to draw out nineteen Men & an Ensign from Casco Fort for Arrowsick: And shall also raise fifteen Men for Brunswick with a Commission Officer for the Service Projected: But cannot at present see Reason to demolish the Fortification at Casco, Untill his Majesties Pleasure be known thereon. [*Passed June 10.*]

CHAPTER 26.

ORDER GRANTING THE PETITION OF THO. FITCH ESQ^r &c FOR CONTINUANCE OF LOAN.

Legislative
Records of the
Council, ix.,
455.

House Jour-
nal, p. 19.

UPON READING a Petition of Thomas Fitch Esq^r Mess^{rs} Nathaniel Carey, Charles Chambers, Samuel Greenwood & Oliver Noyes of Boston Merchants Praying a longer Continuance for one Year more of the Sum of Three Thousand eight Hundred & twelve Pounds eight Shillings & seven Pence of the Loan for Setting forth the intended Expedition for Canada;

Ordered that the Prayer of the Petition be granted. [*Passed June 10.*]

CHAPTER 27.

ORDER ON NATH^l HENCHMANS PETITION FOR CONTINUANCE OF LOAN.

Legislative
Records of the
Council, ix.,
455.

House Jour-
nal, p. 20.

UPON READING a Petition of Nathaniel Henchman Merchant, Praying Respit for one Year longer, for his Paying in the Sum of Fourteen Hundred Pounds, Part of the Loan of the publick Bills of Credit by him received out of his Majesties Treasury of this Province;

Ordered That the Prayer of the Petition be Granted. [*Passed June 10.*]

CHAPTER 28.

ORDER ON CONSTANT FREEMANS PETITION IN REGARD TO CAPE COD.

Legislative
Records of the
Council, ix.,
455.

UPON READING a Petition of Constant Freeman Representative of the Town of Truroe on Behalf & by Direction of said Town, Shewing that several of the Inhabitants of Cape Cod do frequently reside

¹ Inserted from the State Library copy, Legislative Records of the Council, ix., 390.

in the said Town of Truroe, & yet do refuse to do their Duty or be governed by the said Town alledging that they are no Part thereof, Praying that Cape Cod may be declared & made a Part of the Town of Truroe, that so the Inhabitants thereof may be under the Government of the said Town, or that Cape Cod may not belong to Truroe, & so the Inhabitants thereof are not under the Jurisdiction & Government of the said Town, that the Town may conform them selves accordingly;

House Journal, p. 19.
Province Laws, 1., 741.

Ordered that the Petitioners serve the Inhabitants of the Precinct of Cape Cod, or the Principal of them, with a Copy of this Pet^{con} That they may shew Reason if any they have, Why the Prayer thereof should not be granted, On the first Tuesday of the next Session of this Court, And also why they do not entertain a learned orthodox Minister of the Gospel to dispenche the Word of God to them as they are directed by an Act of this Court made the last Year for that End. [*Passed June 10.*]

CHAPTER 29.

ORD^R ABOUT SOLDIERS AT CASTLE WM.

Ordered that four Shillings & ten Pence Half Penny per Man per Week be allowed for the Victualling the Garrison at Castle William for the Space of one Year next ensuing;

Legislative Records of the Council, ix., 455.

AND that no Person what soever voluntarily enlisting him self for his Majesties Service at the said Castle shall on any Occasion what soever be removed from thence for Service elsewhere. [*Passed June 10.*]

House Journal, p. 18.

CHAPTER 30.

ORDER ON THE PETITION OF FRAN. ALLEN OF KITTERY IN REGARD TO MAINTAINING THOMAS YOUNG.

UPON READING a Petition of Francis Allen of Kittery, Setting forth that before Berwick was sett off a separate Township from the Town of Kittery, He agreed with Kittery for Twelve Pounds a Year to maintain Thomas Young a blind impotent Man of that Town, But since Berwick is made a separate Township, Kittery refuses to pay him, And that he can obtain no Remedy in the Law, by Reason that the Justices of the Inferiour Court for that County, are Inhabitants of Kittery & Berwick, & refuse to be Judges in their own Cause;

Legislative Records of the Council, ix., 456.

House Journal, p. 20.

Ordered, that the Town of Berwick pay the same Proportion of the Twelve Pounds mentioned in the Petition during the Time of the impotent Mans Necessities that they paid in y^e last Town Rate, when they were Part of the Town of Kittery. [*Passed June 10.*]

CHAPTER 31.

ORDER ON SAM^{LL} PATRIDGES PETITION ABOUT NORTHFIELD.

UPON READING a Petition of Samuel Patridge & John Stoddard Esq^{rs} & M^r Henry Dwight, the Committee for Settling the Town of Northfield, Praying the Direction of this Court in sev^{ll} Articles relating to the Settlement of the said Place;

Legislative Records of the Council, ix., 456.

House Journal, p. 19.

Ordered that the Order of this Court pass'd at their Session in February 1713: for Settling the Town of Northfield be continued for three Years longer: That the Committee be directed to settle the Town in the most regular & defensible Manner that may be: That all Town Taxes in Northfield for the Space of Five Years next coming be raised on Polls as the Law directs, & on the Lands that are or shall be divided or allotted out And that where a General or common Field or Fields is agreed upon to be fenced in for Improvement, the Proprietors of the inclosed Land shall pay their just Proportion towards the Charge of Making & Maintaining their Fence whither they improve their Land or no; And if any such Proprietors are out of the Province, & cannot be obliged by the Law to pay their just Proportion of such Charge, then their enclosed Lands shall stand chargeable therewith untill it be paid. [*Passed June 10.*]

CHAPTER 32.

ORDER CONFIRMING A PLAT OF LAND TO JOHN HIGGINSON.

Legislative Records of the Council, ix., 456. Maps and Plans, iv., 24.

House Journal, p. 21.

A PLATT [being] presented of One Hundred & forty three Acres of Land, lying two Miles & an Half Northerly from Merrimack River, laid out by John Gardner Surveyour to John Higginson Esq^r to make his Grant of Four Hundred & sixty Acres, Which fell short of that Quantity between Dracut East Line & Major Denisons Farm;

Ordered That the Land therein Described And Platted, be Confirmed, to John Higginson Esq^r Provided It doth not Intrench upon any former Grant. [*Passed June 10.*]

CHAPTER 33.

RESOLVE ALLOWING £35. TO D^r ROBERT ELLIS.

Legislative Records of the Council, ix., 457.

House Journal, p. 21.

UPON THE ACCOMPT of D^r Robert Ellis presented, for Medicines & Dressing Serg^t Daniel Tucker wounded in the publick Service;

Resolved that the Sum of Thirty five Pounds be allowed & paid out of the publick Treasury to D^r Robert Ellis the Accountant for his Service mentioned in his Bill on the other Side. [*Passed June 11.*]

CHAPTER 34.

ORDER OF HEARING ON THE PETITION OF THO. PATCH & INHAB^{TS} OF Y^E TOWN OF WENHAM ALLEGING ILLEGAL USE OF PUBLIC MONEY.

Legislative Records of the Council, ix., 457.

House Journal, p. 20. Post, p. 405, chap. 56.

UPON READING a Petition of Thomas Patch & others Inhabitants of the Town of Wenham, Setting forth that the last Years Select Men of the said Town did in an illegal & unjust Manner draw Money out of the Treasury of the said Town, Praying this Court to take Cognizance & redress the Wrong;

Ordered that the Petitioners forthwith serve Samuel Kembal, John Porter, William Rogers & Caleb Kembal, who were Select Men of

Wenham the last Year, & Samuel Porter that was then Constable with a Copy of this Petition, & a Direction to appear before this Court on Fryday the seventeenth Curr^t to answer the Compl^t thereof. [*Passed June 11.*]

CHAPTER 35.

ORDER ON A REPRESENTATION OF THE PROPRIET^{RS} OF RUTLAND IN REGARD TO THE PROPER LAYING OUT THE TOWN.

THE PROPRIETORS of the Town of Rutland, having represented to this House, That the Direction given by this Court at their last Session, for the Laying out of the said Township contiguous to the Town of Lancaster (which was then so Ordered to preserve a regular Face to the Frontiers, & not leave a Slip of Land between the said Towns too small for a Township) will remove them in some Manner from the Lands they had purchased of the Natives; AND having proposed & petitioned that the Form & Place of their Township may be as described in this Platt, W^{ch} will help the said Inconvenience;

Legislative
Records of the
Council, ix.,
458. Maps and
Plans, iv., 29.
House Jour-
nal, p. 22.

Ordered That the S^d Propriet^{rs} be Directed, [to]¹ Protract, & Lay out their Grant of Land for a Township named as aboves^d agreeable to the Plat above Delineated, by a Survey^r & chainmen under Oath, (to be so returned on the Plat) reserving, & Laying out for this Province One Thousand Acres of Land, in the Angle between Worcester & L[eis]ter in a figure as near a Square as they can, and Lay the Platt [so]¹ Taken, before this Court for Confirmation. [*Passed June 13.*]

CHAPTER 36.

COMM^{TEE} FOR BUILDING Y^E LIGHT HOUSE.

THE FOLLOWING ORDER pass'd in the House of Representatives;

Ordered that M^r William Payne, Coll. Samuel Thaxter & Coll. Adam Winthrop with such as the Hon^{ble} Board shall join, be a Committee to build a Light House at the Entrance of Boston Harbour, Pursuant to the Vote of this Court; Read & Concur'd, And the Hon^{ble} William Tailer Esq^r & Addington Davenport Esq^r joined in the Affair aforesaid. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
459.
House Jour-
nal, p. 24.

CHAPTER 37.

ORDER REAPPOINTING THE COMM^{TEE} TO SETTLE Y^E LINE BETWEEN THIS GOVERNMT & RHOD ISLAND.

Voted that the Line between this Province & the Colony of Rhoad Island as per Agreement between Commissioners of both Governments mett at Roxbury on January 19th 1710; & begun to be investigated by the 23^d of April following according to said Agreement, from the Stake sett up by Woodward & Saffrey, then runned be finished; AND the former Committee for this Province be revived & fully impowered

Legislative
Records of the
Council, ix.,
459.
House Jour-
nal, p. 25.

¹ MS. mutilated.

to perfect the said Line, Giving timely Notice to the Committee or Government of Rhoad Island of the Time & Place of their Meeting; And upon their Refusing or Neglecting, The Committee for this Province be directed to proceed & perfect said Line according to the aforesaid Agreement now on Record. [*Passed June 14.*]

CHAPTER 38.

ORDER CONTINUING THE LOAN TO ANDREW & JON^A BELCHER.

Legislative
Records of the
Council, ix.,
439.

House Jour-
nal, p. 23.

UPON READING a Petition of Andrew & Jonathan Belcher Merchants Relating to the Canada Expedition; That they have advanced more than the Loan they have had from the Province, And there being still due from them One Thousand four Hundred Pounds per their Bond to the Treasurer of this Province PRAYING, the Continuance of the said Sum upon Loan for four Years still to come, as others have had it four Years past;

Ordered that the Prayer of this Petition be so far granted, That the said Fourteen Hundred Pounds be lent to the Petitioners for one Year more. [*Passed June 14.*]

CHAPTER 39.

VOTE ALLOWING THE ACCOUNTS OF THE TREAS^R OF Y^E COUNTY OF SUFFOLK.

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, p. 25.

THE ACCOMPTS of Jeremiah Dummer Esq^r Treasurer of the County of Suffolk for the Years 1713. & 1714.

Allowed by the Represent^{ves} Read & Concur'd. [*Passed June 14.*]

CHAPTER 40.

VOTE ALLOWING THE BRISTOL TREAS^R ACC^O.

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, p. 25.

THE ACCOMPTS of Nathaniel Payne Esq^r Treasurer of the County of Bristol for the Years 1713, & 1714.

Allowed by the Represent^{ves} Read & Concur'd. [*Passed June 14.*]

CHAPTER 41.

VOTE ALLOWING THE BARNSTABLE TREAS^{RS} ACC^O.

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, p. 25.

THE ACCOMPTS of John Otis Esq^r Treas^r of the County of Barnstable for the last Year; Allowed by the Represent^{ves} Read & Concur'd. [*Passed June 14.*]

CHAPTER 42.

VOTE ALLOWING MDDX TREAS^{RS} ACC^O.

THE ACCOMPTS of Daniel Russel Treasurer of the County of Middlesex, for the Years 1711, 1712, 1713, & 1714.

Allowed by the Represent^{ves} Read & Concur'd. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, p. 25.

CHAPTER 43.

ORDER ON THE MERCH^{TS} PETITION ABOUT THE LOAN.

UPON READING a Petition of Jeremiah Dummer Esq^r & others Merchants & Traders in this Province, Praying that the Time for Paying in the remaining Third Part of the Bills of Publick Credit lent to them in the Year 1711: by the General Assembly, to Enable them to supply the British Troops then designing an Expedition against Canada, may be prolonged for one Year more, for as much as One Third Part of the Bills of Exchange on the Lord High Treasurer of Great Britain for those Supplys yet remains unpaid;

Ordered that the Prayer of this Petition be granted, And that the Bills outstanding in the Petitioners Hands & those alike concern'd be lent to them for one Year more; AND that the Committee that this Court imployed to lend out the Bills & take Security for their Repayment be revived & impowered to review & consider the Bonds & Security given for the same, As well those on which the After Ten Thousand Pounds Loan was issued, as those which this Petition refers to, And that such of the Bonds wherein any of the Obligors are dead removed out of the Province, or by adverse Providence considerably impaired in their Estate, or wherein the Security refuse to continue so, be sued out when due, Unless other & further Security sufficient be given to the Satisfaction of the Comm^{tee} The Obligors to pay the Comm^{tee} for their Trouble. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, p. 23.

CHAPTER 44.

RESOLVE ALLOWING £25. 3. 3. TO JN^O CAMPHEL.

Resolved that the Sum of Twenty five Pounds three shillings and three pence be allowed & paid out of the publick Treasury to M^r John Campbel in full of his Acc^t of Postage of publick Letters to the third Currant. [*Passed June 14.*]

Legislative
Records of the
Council, ix.,
460.

House Jour-
nal, pp. 21, 26.

CHAPTER 45.

ORDER UPON THE PETITION OF THE SELECT MEN OF SUFFIELD.

Ordered that the Inhabitants of the Town of Suffield be Ordered to meet the first Monday of July next, & then to Chuse all Town Officers to serve for the Remainder of the Year, And that the Select Men of

Legislative
Records of the
Council, ix.,
461.

House Journal, p. 26.

the last Year, be directed & impowered to give the Inhabitants Notice to convene together according to the Order of this Court. [*Passed June 14.*]

CHAPTER 46.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE TO RUN YE LINE BETWEEN GROTON & NASHOBA.

Legislative Records of the Council, ix., 461.

House Journal, p. 4.

THE FOLLOWING REPORT of the Committee to run the Line between Groton & Nashoba; Accepted by the Represent^{ves} Read & Concur'd; Viz,

WE the Subscribers appointed a Committee by the General Court to run the Line between Groton & Nashoba, & to lay out Five Hundred Acres of Land in said Nashoba to the Descendants of the Indians;

Pursuant to said Order of Court bearing Date Oct. 20th 1714. We the Subscribers return as follows; That on the 30th of November last We mett on the Premises, & heard the Information of the Inhabitants of Groton Nashoba & others of the Neighbouring Towns referring to the Line that has been between Groton & Nashoba, & seen several Records out of Groton Town Book, & considered other Writings that belong to Groton & Nashoba, And we have considered all, & We have run the Line, (which we account is the old Line between Groton and Nashoba) We began next Chelmsford Line at a Heap of Stones, Where we were informed that there had been a great Pine Tree, the North East Corner of Nashoba, And run Westerly by many old mark'd Trees to a Pine Tree, standing on the Southerly End of Brown Hill mark'd N, And these mark'd Trees had been many Times mark'd or renewed, tho they do not stand in a direct or streight Line to said Pine Tree on said Brown Hill, And then from said Brown Hill We turned a little to the East of the South & run to a White Oak being an old Mark, And so from said Oak to a Pitch Pine by a Meadow being an other old Mark, & the same Line extended to a White Oak near the North East Corner of Stow, And this is all as We were informed that Groton & Nashoba joins together, Notwithstanding the Committees Opinion is That Groton Men be continued in their honest Rights, tho they fall within the Bounds of Nashoba. And we have laid out to the Descendants of the Indians Five Hundred Acres at the South East Corner of the Plantation of Nashoba, East Side, Three Hundred Pole long, West Side, Three Hundred Pole long South & North Ends, Two Hundred & eighty Pole broad, A large White Oak mark'd at the North West Corner, & many Line Trees we mark'd at the West Side & North End, & it takes in Part of two Ponds.

Dated December 14. 1714.

{ HOPESTILL BROWN
TIM^o WILY
JOSEPH BURNAP

[*Passed June 14.*]

CHAPTER 47.

VOTE ACCEPTING THE REPORT OF YE COMMITTEE TO RUN YE LINE BETWEEN SHERBURN & FRAMINGHAM.

Legislative Records of the Council, ix., 462.

WE THE SUBSCRIBERS being appointed by the Great & General Court or Assembly at their Session in June 1701: to settle the Line between the Towns of Sherburn & Framingham, & to determine who should be

at y^e Charge thereof, Did pursuant to the Order of the said Court investigate & run the said Line; We have hitherto received no Recompence for said Service, the Charge whereof We are of Opinion ought to be born, One Third Part thereof by Sherburn & the other two Third Parts by Framingham: We were each of us seven Days in said Service, W^{ch} we pay the hon^{ble} Court would direct our Pay for.

STEPHEN FRANCIS,
JOSIAH CONVERSE,
JOHN WARE.

Ordered that this Report be accepted, And that the Committee be paid accordingly, four Shillings a Day to each of them for the Time of their Service. [*Passed June 14.*]

House Journal, p. 22.

CHAPTER 48.

ORDER CONFIRMING A PLAT OF LAND TO SAM^{LL} PRINCE.

A PLAT of Five Hundred Acres of Land [being] presented by Samuel Prince lying on Hadley Road on Ware River surveyed by William Ward Survey^r being a Grant of that Quantity of Acres by the General Assembly to Richard Hollingsworth in the Year 1673:

Ordered That the Platt, on the other Side be Allowed, and Confirmed, as the Five Hundred Acres of Land Granted by this Court to Richard Hollingsworth anno 1673. If That Grant, has not been Laid out afore, and this Plat Do's not Interfere, with any prior Grant. [*Passed June 14.*]

Legislative Records of the Council, ix., 462. Maps and Plans, iv., 32.

Mass. Archives, lix., 127. Maps and Plans, iv., 15. House Journal, p. 26.

CHAPTER 49.

ORDER REFERRING TO THE NEXT SESSION CONSIDERATION OF THE HAMLET PETITION, IPSWICH.

IN THE CASE of Cpt. Matthew Whipple & John Whipple &c, of the Precinct in Ipswich called the Hamlet Heard this Session;

Ordered that the Consideration of this Petition be defer'd to the next October Session, And that in the mean Time the Petitioners make their Application to the Town of Ipswich, & join with them in Settling the Partition Line between them, That a further Consideration of this Petition may be then had. [*Passed June 15.*]

Legislative Records of the Council, ix., 461.

House Journal, p. 28.

CHAPTER 50.

ORDER ON THE HON^{BLE} W^M TAILERS PROPOSAL ABOUT SOLDIERS AT CASTLE WILLIAM.

UPON READING a Proposal of the Hon^{ble} William Tailer Esq^r Lieutenant Govern^r & Commander of his Majesties Castle William, Moving that a Coat & Pair of Breeches out of the publick Stores may be given to each of the enlisted Soldiers at the said Castle, In Consideration that they have twenty Shillings Bounty Money less than at their last Enlist-

Legislative Records of the Council, ix., 463.

House Journal, p. 27.

ing & one Year of Service added besides a great Deal of Labour they must necessarily perform;

Ordered that the Allowance proposed by the Hon^{ble} the Lieutenant Govern^r on the other Side of a Coat & Pair of Breeches to each one of the enlisted Soldiers at the Castle out of those in the publick Stores be granted. [*Passed June 15.*]

CHAPTER 51.

ORDER APPOINTING A COMMITTEE ON TOWN OF STOWS PETITION ABOUT BOUNDS.

Legislative
Records of the
Council, ix.,
463.

Maps and
Plans, iv., 36.
House Jour-
nal, p. 27.

UPON READING a Petition of Zebadiah Wheeler in Behalf of the Town of Stow, Praying this Court to give Order for the Running & Settling the Line between the said Town & the Town of Concord, Which the said Towns cannot agree in among them selves;

Ordered that Cpt. Josiah Converse, M^r John Sternes & Cpt. John Houghton be a Committee to investigate & settle the Bound Marks between the Towns of Stow & Concord (if the said Towns do not agree therein them selves by the last Day of November next) And make Report to this Court of their Doings, & of their Opinion, By whom of Right the Charge of the Committee ought to be born. [*Passed June 15.*]

CHAPTER 52.

RESOLVE ALLOWING 5^s. A DAY TO Y^E GENT^N OF THE COUNCIL FOR ATTEND^A IN THE YEAR 1701.

Legislative
Records of the
Council, ix.,
463.

House Jour-
nal, p. 27.

AN ACCOMPT [being] presented of the several Days that each of the Hon^{ble} Gentlemen gave their Attendance to exercise the Power of the Governour & Council, when the Gen^l Court was not Sitting from the tenth Day of July 1701: to the eleventh Day of June 1702. W^{ch} was from the Death of Lieutenant Govern^r Stoughton to the Arrival of his Ex^{cy}. Govern^r Dudley.

Resolved that five Shillings per Day be allowed & paid out of the publick Treasury for each Day, the Gentlemen of the Hon^{ble} Council attended to exercise the Power of the Governour & Council, as on the other Side, To each one of them (or such who legally represent them) the Sum annexed to their Name, The Whole amounting to Two Hundred Thirty five Pounds & five Shillings. [*Passed June 15.*]

CHAPTER 53.

RESOLVE ALLOWING FIVE SHILLINGS P^r DAY TO Y^E GENT^N OF THE COUNCIL FOR ATTEND^A IN 1714.

Legislative
Records of the
Council, ix.,
464.

House Jour-
nal, p. 27.

AN ACCOMPT [being presented] of the several Days that each of the Hon^{ble} Gentlemen of the Council gave their Attendance to exercise the Power of the Governour & Council when the General Court was not Sitting after the Expiration of the six Months from the Demise of

Queen Ann to the Arrival of his Majesties Proclamation for the Continuance of Officers; Viz, from Febr^y 4. to March 21. 1714:

Resolved that Five Shillings per Day be allowed & paid out of the publick Treasury for each Day the Gentlemen of the Honourable Council attended to exercise the Power of the Governour & Council, as on the other Side, To each one of them (or such who legally represent them) the Sum annexed to their Names; The whole amounting to the Sum of Fifty eight Pounds & eight Shillings. [*Passed June 15.*]

CHAPTER 54.

ORDER CONFIRMING A PLAT OF LAND TO JOS. GREEN CLERK.

A PLATT [being] presented by Joseph Green of Salem Clerk of Three Hundred Acres of Land laid out by John Gardner Surveyour under Oath & the Chain Men under Oath, being a Grant formerly made to Marshall General Mitchelson;

Legislative
Records of the
Council, ix.,
464. Maps and
Plans, iv., 28.

Ordered That the Platt, on the other Side be Allowed & Confirmed as the Three Hundred Acres of Land, formerly Granted to Marshall Gener^l Edward Mitchelson, Provided It Intrinch upon no prior Grant. [*Passed June 15.*]

House Jour-
nal, p. 28.

CHAPTER 55.

ORDER ON JN^o & NATH^l HIGGINSONS PETITION FOR LAYING OUT LAND GRANTED TO JOHN HIGGINSON.

UPON READING a Petition of John Higginson jun^r & Nath^l Higginson both of Salem Praying that a Farm of Seven Hundred Acres of Land granted by the General Court to the Rev^d M^r John Higginson laid out & bounded in October 1669. on the North Side of Merrimack River lying upon Haverhill Line by a Pond formerly called Haverhill Bound Pond, may be laid out & bounded a new by one or more able Surveyours, the former Marks being defaced and destroyed by the Fire in those Woods, & great Number of Trees being blown down, so that the Bounds of the said Farm can not be found out:

Legislative
Records of the
Council, ix.,
464.

House Jour-
nal, p. 21.

Ordered that the Prayer of the Petition be granted, And that the Plat be taken by a skilful Surveyour & Chain Men under Oath (to be so Certified thereon) & to be return'd to this Court for Confirmation. [*Passed June 15.*]

CHAPTER 56.

ORD^r UPON SELECT MEN OF WENHAM CASE.

THE FOLLOWING ORDER pass'd in Council in the Case of the Select Men of Wenham heard this Day; Viz,

John Appleton, John Higginson, Thomas Noyes, Samuel Appleton & John Burrill Esq^{rs} Justices of the Peace in the County of Essex are appointed to hold a special Session in the Town of Wenham some Time in the Month of July next, If the Parties are not agreed before (Giving Notice of their Coming) to Hear & Determine the Matter in Controversy contained in the Petition & Papers, And to Make Report of their

Legislative
Records of the
Council, ix.,
466.

House Jour-
nal, p. 30.
Ante, p. 398,
chap. 34.

Doings therein to this Court at their next Session; The Town to bear y^e Charge

Concur'd by the Representatives, The Session to be some Time in September. [*Passed June 17.*]

CHAPTER 57.

ORDER ON WIGGLESWORTH SWEETSERS PETIT^N FOR LAYING OUT LAND.

Legislative
Records of the
Council, ix.,
466.

House Jour-
nal, p. 29.

UPON READING a Petition of Wigglesworth Sweetser & Ursula his Wife, Praying that Three Hundred Acres of Land confirmed to them by the Gen^l Assembly at their Session in May 1714: may be laid out to them by some meet Person or Persons appointed by this Court;

Ordered that the Petitioners may employ a skillful Surveyour and Chain Men under Oath, to lay out the said Three Hundred Acres of Land & present a Plat thereof to this Court for their Confirmation. [*Passed June 17.*]

CHAPTER 58.

ORD^R ON EZEK. BULLS PETIT^N COMPLAINING OF A JUDGMENT.

Legislative
Records of the
Council, ix.,
465.

House Jour-
nal, p. 30.

UPON READING a Petition of Ezekiel Bull of Newport in the Colony of Road Island, Shewing that in an Action against Aaron Mellish, which he brought by Appeal before the Superiour Court of Judicature lately holden at Bristol, through Hast & Neglect the Clerk of the Inferiour Court delivered him his Reasons of Appeal not sealed, W^{ch} he so delivered into Court, & thereupon his Action was dismiss^t & he is left without Remedy in the Law; Praying that a further Hearing may be Ordered him;

Ordered that a Hearing be had of the Action before the next Superiour Court to be holden at Bristol within & for the County of Bristol, The Petitioner to serve the adverse Party with a Notification, so that he may have Time to make his Defence. [*Passed June 18.*]

CHAPTER 59.

MARY COLES PETITION FOR POWER TO MORTGAGE LAND REFERRED.

Legislative
Records of the
Council, ix.,
465.

House Jour-
nal, p. 31.

THE PETITION of Mary Cole of Boston Widow, Praying that she may be Enabled to mortgage the House & Lands which were her late Husbands Henry Coles, for four Hundred Pounds that she may redeem them from a Mortgage of Three Hundred Pounds, & to pay other Debts;

Read & Referred to the Superiour Court. [*Passed June 18.*]

CHAPTER 60.

ORD^R ON WAIT WINTHROP ESQ^R MEM^O TO LAY OUT A TRACT OF LAND.UPON THE MEMORIAL of Wait Winthrop Esq^rLegislative
Records of the
Council, ix.,
467.

Ordered that the Prayer of the Petition be so far granted that the Petitioner may employ at his own Charge an able Surveyour with Chain Men under Oath to lay out Four Miles square of Land, W^{ch} shall include the Black Lead Mines, that have been opened in the Hill Tantiusques mentioned in the Petition without Intrenching upon any former Grant, And present a Plat thereof to this Court for Confirmation at their Session the next Autumn, & that the Surveyour & Chain Men were under Oath to be Certified on the Platt. [*Passed June 18.*]

Legislative
Records of the
Council, ix.,
404, 426, 449.
House Jour-
nal, p. 16.

CHAPTER 61.

ORDER CONFIRMING THE RETURN OF A PLAT OF LAND GRANTED JN^O HIGGINSON ESQ^R.

A PLAT [being] Presented by John Higginson Esq^r of Three Hundred and seventeen Acres of Land laid out to him by John Gardner Surveyour on the North Side of Merrimack River near Dracut Line, being the remaining Part of Four Hundred & sixty Acres granted him by the General Assembly in October last;

Legislative
Records of the
Council, ix.,
467. Maps and
Plans, iv., 25.
House Jour-
nal, p. 28.

Ordered That the Land therein Described, and Platted, be Confirmed to the Hon^{ble} John Higginson Esq^r Provided It Intrench upon no prior Grant. [*Passed June 18.*]

CHAPTER 62.

ORDER CONFIRMING THE RETURN OF A PLAT OF LAND GRANTED TO JN^O PYNCHON ESQ^R.

A PLAT [being] presented by John Pynchon Esq^r of Five Hundred Acres of Land laid out to him by John Chandler Surveyour, lying on the Southward End of a certain Hill called Coys Hill upon or near the West Bounds of Brookfield being a Grant made to his Father John Pynchon Esq^r by the General Assembly in the Year 1659:

Legislative
Records of the
Council, ix.,
467. Maps and
Plans, iv., 33.
House Jour-
nal, p. 30.

Ordered That the Land Described, & Platted on the other Side, be Allowed, and Confirmed as the first halfe of the Grant, made to John Pynchon Esq^r dec^d Anno. 1659. Provided It Intrench upon no prior Grant. [*Passed June 18.*]

CHAPTER 63.

ORD^R ON JON^A HASTING & JOB BULLS CASE.

THE FOLLOWING ORDER pass'd in Council in the Case of Jonathan Hastings against Job Bull; Concurred by the Representatives;
Viz,

Legislative
Records of the
Council, ix.,
467.

House Journal, p. 23.

Ordered that a Hearing be had of the said Actions at the next Superior Court to be holden at Cambridge for the County of Middlesex, As thò the same properly lay before that Court by Appeal; The Petitioner to give y^e adverse Party timely Notice thereof. [*Passed June 18.*]

CHAPTER 64.

ORDER ON THE PETITION OF JAMES HAYNES &c ABOUT A PLAT OF LAND.

Legislative Records of the Council, ix., 468. Mass. Archives, cexliii., 19.

Legislative Records of the Council, ix., 16. House Journal, p. 32.

UPON READING a Petition of James Haynes & David Haynes in Behalf of them selves & the Rest of the Children & Heirs of M^r John Haynes formerly of Sudbury Dec^d Praying a Confirmation of a certain Tract of Land bought by their said Father John Haynes of Joseph Robins & Benjamin Anthony Indian Proprietors &c.

Ordered That the Petitioners may take a Platt of the Land mentioned in their Petition, by a sworn skilfull Surveyour and Chain men under Oath, at their own Charge and Lay it before this Court for Confirmation. [*Passed June 20.*]

CHAPTER 65.

VOTE ON THE PETITⁿ OF RICH^d COOMES & HIS WIFE.

Legislative Records of the Council, ix., 468.

Ante, chap. 4. House Journal, p. 31.

UPON THE PETITION of Rich^d Coomes & Hephshibah his Wife, Heard this Session;

Voted that the Petitioners ought to have the Equity of Redemption Inasmuch as the Mortgage made to Florence Maccarty by Joseph Newell the Father of the Petitioners was not recorded until April 7. 1714. By Reason whereof they were defeated of the Benefit of an Act entituled An Act for Hearing & Determining Cases in Equity made & pass'd in the tenth of William the third &c: And that they be impowered to file a Bill for their Right or Equity of Redemption in the next Court or Courts of Law proper to hear the same. [*Passed June 21.*]

CHAPTER 66.

ORDER ALLOWING AND CONFIRMING THE SUTTON PLATT OF LAND.

Legislative Records of the Council, ix., 469. Maps and Plans, iv., 22.

House Journal, p. 31.

A PLAT [being] presented by the Proprietors of the Township of Sutton containing the Quantity of Eight Miles square of Land, Four Miles square belonging to the Indians of Hassanimiscoe being Part thereof:

Ordered That the Land Described and Platted on the other Side, be Allowed & Confirmed, to the Propriet^{rs} of the Township of Sutton, Provided It Intrench upon no former Grant. [*Passed June 21.*]

CHAPTER 67.

RESOLVE THAT £20. BE ALLOW'D FOR THE MINISTRY AT FREETOWN.

Resolved that the Twenty Pounds allowed out of the publick Treasury towards the Maintenance of the Ministry in the Town of Freetown the last Year but not drawn out (They not being supplied with a Minister) be allowed for that End in the Year Curr^t Provided they procure & entertain a Minister this Year. [*Passed June 21.*]

Legislative
Records of the
Council, ix.,
469.

House Jour-
nal, p. 32.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTIETH DAY OF JULY, A.D. 1715.

CHAPTER 68.

ORDER GRANTING THE PETITION OF TRUSTEES OF HOPKINS'S LEGACY
FOR THE PURCHASE OF INDIAN LANDS, TO BE IMPROVED FOR THE
BENEFIT OF THE INDIANS.

Legislative
Records of the
Council, ix.,
472.

House Jour-
nal, p. 26.
Sewall's
Diary, ii., 416;
iii., 49.

UPON READING a Memorial or Representation of Samuel Sewall Esq^r in the Name & on Behalf of the Trustees of Govern^r Hopkins's Legacy, Praying the Licence & Approbation of this Court for them to purchase of the Indian Inhabitants of Natick a Tract of Wast Land commonly known by the Name of Maguncoog belonging to but not inhabited nor improved by the said Indians, They designing to Commit the Purchase Consideration to Trustees to be improved for the Benefit of the said Indians in their more regular Settlement & Civil Cohabitation;

Ordered that the Prayer of the Petition be granted, the pious Intention proposed therein being very acceptable to this Court. [*Passed July 21.*]

CHAPTER 69.

ORDER ACCEPTING THE COMTEES REPORT ABOUT UNSERVICEABLE
BILLS, & TREAS^R DISCHARGED.

Legislative
Records of the
Council, ix.,
473.

House Jour-
nal, p. 39.

IN OBEDIENCE to an Order of the Great & General Court at their Sessions in May 1714: appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c, We have accordingly received of M^r Treasurer Allen sevⁿ Bills of the Denominations in the above mentioned Accompt, Amounting to the Sum of Twenty one Thousand six Hundred thirty eight Pounds, twelve Shillings & one Penny at their exprest Value; All of which Bills we have consumed to Ashes, Whereof, Fifteen Thousand six Hundred thirty eight Pounds twelve Shillings & one Penny were delivered us upon the Province Accompt as being received for Taxes Impost & Excise, W^{ch} with the Advance of Five per Cent. as they were taken into the Treasury amounts to the Sum of Sixteen Thousand four Hundred twenty Pounds ten Shillings & eight Pence, And Six Thousand Pounds neet Bills, as being exchanged in the Treasury Making in the Whole, Twenty two Thousand four Hundred & twenty Pounds, ten Shillings & eight Pence, As Witness our Hands this 24th of March 1714.

ADAM WINTHUOP
EDW^d HUTCHINSON
OLIVER NOYES,

EL^m HUTCHINSON
PENN TOWNSEND
THO. HUTCHINSON

Ordered that the Treasurer be discharged of the Bills, which the Committee on the other Side report they have seen burnt to Ashes, It being agreeable to the Treasurers General Accompts pass'd by this Court at their Session in May last so far as relates to them. [*Passed July 22.*]

CHAPTER 70.

ORDER ACCEPTING THE COMM^{TEES} SECOND REPORT, & TREAS^R DISCHARGED.

IN OBEDIENCE to an Order of the Great & General Court at their Sessions in May 1714: appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c. We have accordingly received the several Bills mentioned in the above Accompt of M^r Treasurer Allen amounting to the Sum of Fourteen Thousand four Hundred twenty seven Pounds four Shillings, Whereof as he informs us Two Thousand five Hundred eighty nine Pounds nine Shillings & nine Pence, Part of the above Fourteen Thousand four Hundred twenty seven Pounds four Shillings is upon the Accompt of the Loan & the remaining Sum of Eleven Thousand eight Hundred thirty seven Pounds fourteen Shillings & three Pence being Bills exchanged & Caused them all to be burnt to Ashes this twenty fourth of January 1714.

Legislative
Records of the
Council, ix.,
474.

House Jour-
nal, p. 39.

EL^M HUTCHINSON
OLIVER NOYES
EDW^D HUTCHINSON.
THO. HUTCHINSON

ADAM WINTHROP
PENN TOWNSEND
ADDIN. DAVENPORT

Ordered that the Treasurer be discharged of the Bills which the Committee report on the other Side they have seen burnt to Ashes. [*Passed July 22.*]

CHAPTER 71.

ORDER ACCEPTING COMM^{TEES} THIRD REPORT OF TORN BILLS, & TREASURER DISCHARGED.

IN OBEDIENCE to an Order of the Great & Gen^l Court at their Session in May 1714: Appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c. We have accordingly received of M^r Treasurer Allen the sevⁿ Bills of the Denomination in the above mentioned Accompt, Amounting to the Sum of Seven Thousand nine Hundred & fifty three Pounds, five Shillings & seven Pence, Neet Bills as being exchanged in the Treasury, All which Bills We have burn'd to Ashes; As Witness our Hands this 19th of May 1715.

Legislative
Records of the
Council, ix.,
475.

House Jour-
nal, p. 39.

EL^M HUTCHINSON
OLIVER NOYES
EDW^D HUTCHINSON.
THO: HUTCHINSON

ADAM WINTHROP
PENN TOWNSEND
ADDIN: DAVENPORT

Ordered that the Treasurer be discharged of the Bills, w^{ch} the Comm^{tee} Report on the other Side they have seen burn'd to Ashes. [*Passed July 22.*]

CHAPTER 72.

ORDER FOR BURNING BILLS.

Legislative
Records of the
Council, ix.,
475.

House Jour-
nal, p. 40.

THE FOLLOWING ORDER pass'd in the House of Representatives; Viz,
WHEREAS this Court have Ordered the Calling in & Exchanging of
several of the Denominations of the Bills of publick Credit on this Prov-
ince, & many of the Bills that are paid into the Treasury are torn &
defaced which can be of no Use but some Hazzard to lodge long in the
Treasury;

Ordered that the Representatives of the Town of Boston Cpt. Chambers
& M^r Denison with such as the Hon^{ble} Board shall nominate be a Com-
mittee at any Time (between this Session & the Session of this Court
in May next) When the Treasurer shall have Two Thousand Pounds
or more of Bills in the Treasury that are received in Exchange as
afore said or otherwise defaced & unfit for Use, At his Application
to them To take an Accompt of the Number of each of the Sorts of
the said Bills, & the Sum the Whole amounts to & give the Treasurer
Receipt for them, & burn the said Bills to Ashes, And make Report
of their Doings to this Court as often as there shall be Opportunity;
Whose Receipt shall be a discharge to the Treasurer equal to what the
said Bills would have been if they had continued in his Hands.

Read & Concur'd, And John Clark Addington Davenport, Thomas
Hutchinson & Thomas Fitch Esq^{rs} are added to the Committee in the
Affair above said. [*Passed July 22.*]

CHAPTER 73.

RESOLVE ALLOWING £500. FOR BUILDING A LIGHT HOUSE.

Legislative
Records of the
Council, ix.,
476.

House Jour-
nal, p. 40.
Province
Laws, ii., 7.

Resolved that the Sum of Five Hundred Pounds be allowed & paid
out of the publick Treasury to the Committee appointed by this Court
to erect a Light House on Beacon Island at the Entrance of the Har-
bour of Boston, Pursuant to an Act of this Court, for a present Sup-
ply towards Carrying on that Affair, Who are to keep & render to this
Court fair Accompts of their Disbursing thereof, And the said Committee
are hereby impowered to treat with the Owners of the said Island, &
purchase it of them for the said Service. [*Passed July 22.*]

CHAPTER 74.

ORDER GRANTING M^r JOS. LORDS PETITION TO IMPORT AN INDIAN GIRL.

Legislative
Records of the
Council, ix.,
471.

House Jour-
nal, p. 41.

UPON READING a Petition of M^r Joseph Lord Pastor of the Church at
Dorchester in South Carolina, Shewing that by Reason of the Calam-
itous Condition of that Colony brought upon it by an Indian War, he
was obliged to send two of his Children to this Countrey, to whose nec-
essary Assistance he has sent an Indian Girl, Praying Permission to
import the said Indian Girl the Law of the Countrey notwithstanding;

Ordered that the Prayer of the Petition be granted provided the Peti-
tioner engage to transport the Indian Girl, when his Family go from
hence, And that he do not make Merchandize of her in the mean Time.
[*Passed July 23.*]

CHAPTER 75.

ORDER CONFIRMING A PLAT OF 1,000. ACRES OF LAND TO MAJOR WILLARDS CHILDREN.

A PLATT of One Thousand Acres of Land lying Ten Miles South Westward of Wachuset Hill granted by the Gen^l Court in the Year 1681. to the Six youngest Children of Major Simon Willard, & several Years since laid out by M^r John Haynes Surveyour, now renewed by David Haynes Surveyour Son of the said John Haynes, [being] Presented by Samuel Sewall Esq^r (who purchased it of the Right Heirs) for Confirmation :

Legislative
Records of the
Council, ix.,
477.

House Jour-
nal, p. 41.

Ordered that the Land contained in the Plat above delineated be allowed & Confirmed to be the the¹ Thousand Acres granted to the six Youngest Children of Maj^r Simon Willard in the Year 1681. [*Passed July 23.*]

CHAPTER 76.

RESOLVE ABOUT THE SUFFIELD TROUBLES; THE LATE TOWN OFFICER TO DELIVER UP BOOKS TO HIS SUCCESSOR.

UPON READING a Petition of Peter Roe James Younglove John Burbank & Jacob Adams jun^r Select Men of the Town of Suffield Shewing, That pursuant to the Order of this Court at their Session in May last, The Town had a Meeting & chose Town Officers, But that notwithstanding John Austin the former Town Clerk withholds & refuses to deliver the Town Books of Record, althô there is an other Clerk chosen in his Room & sworn, W^{ch} renders them incapable of Managing the Prudentials of the Town Praying that this Court would resolve & settle their Difficulties ;

Legislative
Records of the
Council, ix.,
479.

House Jour-
nal, p. 39.

Resolved that the Town of Suffield so far as doth appear have attended the Order of this Court in their late Choice of Town Officers ;

Resolved that John Austin the late Town Clark of Suffield be peremptorily required to deliver the Town Book & Records to Joseph Winchel the Person last chosen & sworn to be Clerk of the said Town upon the Penalty of Paying Ten Pounds per Week for the Use of the County of Hampshire for every Week he continues to detain them after the said Winchel makes his Demand thereof. [*Passed July 25.*]

CHAPTER 77.

ORDER OF HEARING ON WATERTOWN EAST PART PETITION TO BE MADE A SEPARATE TOWN.

UPON READING a Petition of the Eastern Congregatⁿ in the Town of Watertown, Setting forth That the Western Part of the said Town continue to elude the Orders of the Gen^l Court relating to the Maintenance of the Ministry in the s^d Town Praying to be made a separate Township for the Maintaining the Ministry by them selves ;

Legislative
Records of the
Council, ix.,
477.

House Jour-
nal, p. 43.

Ordered that the Petitioners serve the Select Men & Assessors of the Town of Watertown with a Copy of this Petition, & summon them to attend this Court on the second Wednesday of the next Fall Session to answer the Complaints made therein of Neglecting to comply with the Orders of this Court for the Maintenance of their Ministers. [*Passed July 26.*]

CHAPTER 78.

ORDER ON BROOKFIELD PETITION ABOUT ASSESSMENT OF NON-RESIDENT PROPRIETORS.

Legislative
Records of the
Council, ix.,
479.

House Jour-
nal, p. 44.

UPON READING a Petition of Thomas Baker Philip Goss & Joseph Banister in Behalf of the Inhabitants of Brookfield, Shewing that by Reason of the Desertion of the Place by the first Grantees, & by the Sale of many Grants since made, Good Part of the Lands are fallen into the Hands of Strangers, who neither improve, nor sell to those who would settle them selves amongst them which greatly obstructs their Growth & hurts their publick Affairs, Especially rendering them incapable of Settling & Supporting the Ministry amongst them Praying that for some few Years next succeeding, & untill they shall be more capable of Enduring a Charge All Lands belonging to Non-Residents as well as others, tho not under Improvement may be made liable to be taxed in all Town Assessments & that the Committee may receive Directions therein :

Ordered that for Seven Years next coming all Town Assessments in Brookfield be raised on Polls, as the Law directs, & on the Real Estates of the Non-Resident as well as the Resident Proprietors, Exclusive of Personal Estates, W^{ch} the Committee for Settling the said Town are hereby directed & fully impowered to levy & collect accordingly so long as they shall be continued by this Court And to take Care that the Town be settled in the most regular compact and defensible Manner that may be. [*Passed July 26.*]

CHAPTER 79.

ORDER GRANTING A NEW TRIAL ON EDW^d WHITES PETITION.

Legislative
Records of the
Council, ix.,
480.

House Jour-
nal, p. 44.

UPON READING a Petition of Edward White by his Attorneys Edward Martyn & Ebenezer Clough, Setting forth That M^r Joseph Dowding of Boston hath very much oppressed, & wrongfully taken away & withheld his House from him wherein he is without Remedy in the Law, And the Committee appointed by this Court to adjust & audit the Accompts between them have reported that there is Money due to him; Praying that the said Dowding may be Ordered to pay him what shall be found due to him on that Accompt, or that the Affair may again pass through the Law, And that the Court would Order the said Auditors Accompt shall be good & of Force & Value in any Court & to any Jury;

Ordered that the Prayer of the Petition be granted so far, That the Petitioner be admitted to a new Tryal. [*Passed July 26.*]

CHAPTER 80.

VOTE ACCEPTING THE GOVERN^{rs} LETTER ABOUT THE CAPE SABLES INDIANS.

Legislative
Records of the
Council, ix.,
480.

THE FOLLOWING LETTER was written by his Excy. to the Council & Represent^{ves} Viz,

Council Chamber Boston July 26. 1715.

Legislative
Records of the
Council, ix.,

GENTLEMEN, The News from Cape Sables informing That the Indians have proceeded in their Hostilities so far as to make them selves Masters

of about twenty seven of our Fishing Vessels & the Men belonging to them, Of whom they have murdered eight & wounded others ; I am of Opinion that the Frigott proceed immediately to Annapolis Royal, & Acquaint the Govern^r there of our present Posture & their Danger, & obtain their Advice of any Method to be used to Recover our Vessels & Prisoners out of the Indians Hands And from thence to proceed to Cape Sables to Advise our Fishing Vessels there of their Danger, And that there be taken up forthwith two good Sloops with thirty Men each. to defend & secure our remaining Fishery upon the Coast of Cape Sables & Parts adjacent, & to hold his Cruize there for twenty Days, & then give us Notice for our further Proceedure, And that the Frigott sail forthwith with Coll. Goffe on Board No other fit Person to be joined with him in this Negotiation appearing.

477, 478. Executive Records of the Council, vi., 351, 365, 367, 369, 370, 371, 372, 373, 387, 418. House Journal, p. 44.

J DUDLEY.

Read & Accepted, And Desired that it be forthwith proceeded upon. Concur'd by the Representatives. [*Passed* July 26.*]

CHAPTER 81.

ORDER ON SUFFIELD PETITION ABOUT THE TOWN'S TROUBLES.

UPON READING a Petition of John Austin late Town Clerk of Suffield in Behalf of the Select Men of the said Town for the Year 1714. Shewing that on the twenty fifth of March & on the second Day of April 1713 : The Inhabitants of the said Town of Suffield made sundry conditional Grants of Land, And that the Select Men of the said Town for that Year without having Regard to the Conditions of the said Grants, gave Orders for Laying out of Lands to sundry Persons, & also Directed the Recording the Return made by the Land Measurer, by Reason whereof sundry Persons had more Land laid out to them than was granted them by the Town, W^{ch} Proceedings of the Select Men being disagreeable to the Town, on the twenty second Day of March 1713/14. They Voted that there should be no Records made of any of the Land granted at the afore said Meeting, And the Town by a Vote Ordered that the Proprietors at a Proprietors Meeting should consult & conclude on some proper Methods to prevent such irregular Records, Praying this Court to order the Proprietors of the Common Lands in the said Town of Suffield to have a Meeting for the Settling & Determining of the said Towns Grants, And if the said Proprietors shall not agree by the Time which shall be limited to settle the said Grants, the Court will please to Direct & Order that the Justices of the Court of Gen^l Sessions of the Peace for the County of Hampshire take the Premises into their Cognizance & Determine the same, And that in the Interim no Records may be made in the Town Book of Suffield of any of the Lands laid out by Order of the said Select Men by Vertue of the said Grants, which were Ordered to be suspended by the said Towns Vote, as afore said ;

Legislative Records of the Council, ix., 480.

House Journal, p. 44.

Ordered that the Inhabitants of the Town of Suffield be advised & Directed to Compromise & Issue their Differences in the Affairs before mentioned as speedily as may be ; But if they shall not be so wise in the Space of Three Months next coming & signify it to the Hon^{ble} Samuel Patridge Esq^r That then the Justices of the Gen^l Sessions of the Peace in the County of Hampshire hold a Special Session at the said Town, Hear both Parties & Determine & settle their Differences, Whose Determination shall be a final Issue & so entered in their

Town Books : The Charge of the Session to be born by the said Town, And the Town Clerk is directed to enter no Record of the Lands in Controversy before the Session ordered of the Justices unless the Town come into a good & amicable Agreement therein. [*Passed July 26.*]

CHAPTER 82.

ORDER REQUIRING SWAMPFIELD TO LAY BEFORE THE COURT A PLAT OF THEIR ORIGINAL GRANT.

Legislative
Records of the
Council, ix.,
482.

House Jour-
nal, p. 45.

UPON READING a Petition of the Proprietors of the Town of Swampfield Importing that they are under Disadvantages, & Discouragements, In that many Persons are boldly Boring Pine Trees for Turpentine within the Bounds they have purchased for a Plantation, So that if they are suffered to go on, they will ruine the Place as to Pine Timber; Humbly Praying that in Consideration of the small Tract of improveable Land that there is or is like to be there That Reserve for a Countrey Farm may be released or laid out in some Place where it would be of less Detriment to the Town, And that the Honoured Court would confirm to them their Indian Purchases, That there may be an Addition granted to their Bounds, And the Whole stated & laid that it may extend as far Northward as they have purchased; Viz, To the Brook called Papacontuckquash, W^{ch} lies over against the Mouth of Deerfield River, & Eastw^d Seven Miles from Connecticut River, there being no Accomodation for a Township within the Contents; And that the Duties & Rates may be raised upon the Allotments of the Inhabitants or Proprietors Resident or Non Resident for a certain Term of Years, Five at the least;

Ordered that the Petitioners lay before the Court a Plat of their Original Grant, & of the Land they petition to be added to them taken by a Surveyour & Chain Men under Oath. [*Passed July 27.*]

CHAPTER 83.

VOTE ALLOWING FOUR POUNDS TO BOMAZEEN &c.

Legislative
Records of the
Council, ix.,
483.

House Jour-
nal, p. 47.

Voted that the Sum of Four Pounds be allowed to Bomazcen¹ & his Companions to bear their Charges Going Home. [*Passed July 28.*]

CHAPTER 84.

ORDER IN REGARD TO THE PREAMBLE OF A BILL FOR A TAX.

Legislative
Records of the
Council, ix.,
483.

Legislative
Records of the
Council, ix.,
449, 458, 460, 472,
473, 482, 483.
House Jour-
nal, p. 48.
Province
Laws, ii., 33.

AN ACT for Apportioning & Assessing a Tax of Eleven Thousand Pounds on Polls & Estates, W^{ch} with the Sum of Two Thousand Pounds in the Treasury, Two Thousand Pounds, Interest of the Loan Money & Seven Thousand Pounds by the Impost Exeise & Tunnage of Shipping pass'd this present Session will make up the Sum of Twenty two Thousand Pounds, Pursuant to the Funds & Grants made to her late Majesty by this Court at their sev^{ll} Sessions in November 1710, & May 1711:

¹ An Indian. — Mass. Archives, cxiii., 50; Province Laws, viii., 300, 571, 677.

Ordered that the Preamble to the Tax Bill to be pass'd this Session be formed agreeable to the abovementioned Minutes; And that a Bill be drawn accordingly as expeditiously as may be. [*Passed July 29.*]

CHAPTER 85.

VOTE ACCEPTING PROPOSALS OF Y^E PROPRIET^{RS} OF BRUNSWICK, TOPSHAM, &c.

WE THE SUBSCRIBERS Proprietors of the Lands in Brunswick Topsham &c being desirous to make such a Settlement as may be able to sustain a War with the Indians, do acknowledge the Favour of the Gen^l Court in their Readiness to encourage & protect the intended Settlem^{ts} & particularly in Repair of the Fort there, Yet seeing the House are inclinable to a Wooden Fort on Account of the Cheapness of it; We being sensible, That as this Fort is set so as to be a Bridle to the Indians, So if a War should arise, It may be expected they will leave no Means untried to become Masters of it, Towards which the Remoteness from Succour will give them great Advantage, And Considering how much the Lives & Estates there will depend upon the Strength & Security of that Fort, We have been induced to make the following Proposal,

That whereas the Wooden Fort at Winter Harbour cost as We are informed, Four Hundred Pounds when Provisions & Labour were much cheaper than at this Time, We can not suppose such an one now will cost less than Five Hundred Pounds, And a Stone Fort supposed to be much more chargeable, Yet rather than the said Fort should be of Wood & so liable to be consumed by Fire, In Case it should be assaulted by the French as well as Indians; We offer that if the Gen^l Court will please to allow Five Hundred Pounds & let us now have the Fifteen Men, which are designed for that Garrison, We will enter into Engagements to repair & finish the above said Stone Fort, to be fifty Feet square as proposed with four Bastions, two of which of Wood on the Top of the Angle, at our own Charge altho it should amount to more than that Sum, And We shall sett about it in a Weeks Time if possible, & hope to finish it before Winter, If not obstructed by the Indians, We desire to have Three Hundred Pounds of the said Sum as. Occasion shall require, To Provide Materials &c And the Remainder when the Work is finished

Boston July 28th 1715.

THO: HUTCHINSON	} In Behalf of them selves & Partners
ADAM WINTHROP	
OLIVER NOYES.	

Memorandum.

It is Agreed that the Foundation of the said Fort shall be three Feet under Ground, That the Wall shall be three Feet thick at the Bottom & at least Ten Feet high above the Ground & laid in Lime Mortar with Barracks for Fifteen Men, to be built in or near the Spot where the Fort now stands:

Voted that the within Proposals be Accepted, And the Sums paid out of the Treasury as proposed. [*Passed July 29.*]

Legislative
Records of the
Council, ix.,
483.

House Jour-
nal, p. 47.

CHAPTER 86.

Legislative
Records of the
Council, ix.,
485.

House Jour-
nal, p. 48.

RESOLVE ALLOWING 40/. TO BENJ^A ROLFE.

Resolved that the Sum of Forty Shillings be allowed & paid out of the publick Treasury to M^r Benjamin Rolfe for his Service in Writing for this Court the last Year. [*Passed July 30.*]

CHAPTER 87.

ORDER REFERRING TO THE NEXT COURT THE PETITION OF NATH^{LL} HEALY AND OTHERS OF NEWTOWN.

Legislative
Records of the
Council, ix.,
485.

House Jour-
nal, p. 49.

UPON READING a Petition of Nath^{ll} Healy & four others of the Town of Newtown Setting forth, That this Court in the Year 1713: did Vote & Advise that the said Town should allow six Families lying next to the South Part of Roxbury to attend the Worship of God at that Precinct & accordingly to be dismiss'd from any Charge towards the Support of the Ministry in Newtown, During their Attendance & Contributing to the Ministry at Roxbury, And that they have constantly attended according to the Advice of the Court the publick Worship of God at Roxbury, & Contributed there, Yet notwithstanding, the Assessors of Newtown have assess'd them towards the Support of the Ministry at Newtown for this present Year;

Ordered that the Consideration of this Petition be refer'd to the next Session of this Court, And that in the mean Time, No Distress be made on the Petitioners. [*Passed July 30.*]

CHAPTER 88.

ORDER IN EXPLANATION OF IMPOST ACT.

Legislative
Records of the
Council, ix.,
486.

House Jour-
nal, p. 48.
Province
Laws, ii., 33.

WHEREAS It is Enacted in the Act for Granting to his Majesty several Rates & Duties of Impost & Tunnage of Shipping; Viz, That there shall be paid by the Master of every Ship or other Vessel coming into any Port or Ports of this Province to trade or traffick, The Major Part of the Owners whereof are not belonging to this Province, Except such Vessels as belong to the Provinces or Colonies of Pensilvania, West & East Jerseys, New York, Connecticut or Rhoad Island every Voyage such Ship or Vessel does make the Sum of Eighteen Pence per Tun, or one Pound of good new Gun Powder for every Tun such Ship or Vessel is in Burthen to be paid unto the Commissioner or Receiver of the Duties of Impost, And to be employed for the Supply of his Majesties Forts & Castles within this Province,

Ordered that it be an Explanation of the said Act, that the said Duty is not to be paid for such Part or Parts of any Ship or other Vessel that is owned by any Person or Persons inhabiting this Province; And that it be an Instruction to the Officer of Impost to govern him self accordingly. [*Passed July 30.*]

CHAPTER 89.

ORDER REFERRING TO THE NEXT SESSION OF THE COURT THE PETITION OF CAPE COD INHAB^{TS}.

A PETITION of William Clap & fifteen others Inhabitants of Cape Cod, Assigning several Reasons, Why they would not be annexed to the Town of Truro & Why they are without a Minister &c Praying that they may be made a Township & assisted out of the publick Treasury in Building a Meeting House & Maintaining a Minister, Proposing that the Treasury may be reimbursed by a Duty laid on the Fishery there: Read &

Legislative
Records of the
Council, ix.,
484, 487.

House Jour-
nal, p. 50.

Ordered that the Consideration of this Petition be Refer'd to the next Session. [*Passed August 1.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-FOURTH DAY OF AUGUST, A.D. 1715.

CHAPTER 90.

VOTE APPOINTING A COMMITTEE TO EMPLOY PERSONS TO SURVEY YE
LAND ON THE FRONTIERS.

Legislative
Records of the
Council, ix.,
488.

House Jour-
nal, pp. 46, 52.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves}; Viz,
Ordered that Coll. Thaxter, Coll. Winthrop & M^r William Payne
with such as the Hon^{ble} Board shall nominate be a Committee to Con-
sider & treat with Persons skillful in Surveying & Acquainted in the
Frontiers in Order to take a Plat of the ungranted Lands in the Fron-
tiers lying between Connecticut Great River & Merrimack River up
as high Westward as Pennicook upon Merrimack River, & from thence
upon a streight Line to the nearest Part of Connecticut River, The Plat
to include all the ungranted Lands lying between the said two Rivers
& the said streight Line & the Frontier Towns, And in Order to take
Plats of the ungranted Lands that are within the said Frontiers: And
make Report to the next Session of this Court what the Charge may
probably amount to.

Read & Concur'd, And Thomas Fitch & Edmund Quincey Esq^{rs} are
joined in the Affair. [*Passed August 24.*]

CHAPTER 91.

ORDER OF HEARING ON GERSHOM WOODELS PETITION FOR LICENSE
AS INNKEEPER.

Legislative
Records of the
Council, ix.,
490.

House Jour-
nal, p. 53.

UPON READING a Petition of Gershom Woodel of Tiverton Shewing
that by Reason of Weakness & Indisposition of Body he is incapable
of Getting a Livelihood by hard Labour, And that he has often sup-
plimented the Select Men of said Town to give him a Certificate that
they approved of him to be a Person suitably qualified to be an Inn
holder within the said Town, without w^{ch} the Justices are of Opinion
they cannot give him a Licence Praying that the said Justices may be
impowered by an Act of this Court to grant him a Licence without such
Certificate from the Select Men, He entering into Recognizance to pay
the Excise which shall be set him, & to observe the Laws relating to
those that are so admitted.

It being Represented that there is no Inn holder in the Town of Tiver-
ton & that there is frequent Occasion for an Inn there for the Enter-
tainment of Travellers &c:

Ordered that the Petitioner serve the Town of Tiverton with a Copy

of this Petition, That they may shew Reason to the Justices of the Gen^l Sessions of the Peace of the County of Bristol at their next Session, If any they have Why the Prayer thereof sh^d not be granted.

And if they do not lay before them sufficient Reason why It should not be granted, That then the said Justices be & hereby are impowered to grant a Licence as prayed for without the Approbation of the said Select Men, If it appears to them that the Petitioner is a meet Person to be so licenced; Any Law Usage or Custom the Contrary notwithstanding. [*Passed August 26.*]

CHAPTER 92.

ORDER GRANTING 500. ACRES OF LAND TO JN^O BURRILL ESQ^R.

Ordered that the Eastern Half of the Thousand Acres of Land reserved to the Province in the Grant of the Township of Rutland be & hereby is granted to John Burrill Esq^r & to his Heirs & Assigns for Ever, In Consideration of his long & good Service to this Province. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
491.

House Jour-
nal, pp. 53, 55.

CHAPTER 93.

RESOLVE FOR EMITTING £4,000. IN BILLS OF CREDIT AND PROVIDING SECURITY.

Resolved that the Treasurer be & hereby is Directed & Impowered to Issue forth & Emit the Sum of Four Thousand Pounds of the Bills of publick Credit on this Province, that are or shall be received into the Treasury, For Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government, & the necessary Protection & Preservation of the Inhabitants of this Province, And for Subsisting of Forts & Garrisons & Wages arising for their Service (but the Fort at Casco Bay for no longer Time than the first Day of November next) For Payment of Grants Salaries & Allowances made & to be made by this Court according to such Draughts as shall from Time to Time be made on him by Warr^t, or Order of the Governour by & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein express'd, equivalent to Money, And shall be taken & Accepted in all publick Payment at the Advance & after the Rate of five Pounds per Cent. more.

And as a Fund & Security for the same, There be & hereby is granted to his most Excellent Majesty a Tax of Four Thousand Pounds (to the Ends & Uses, as afore said) to be levied upon Polls & Estates both Real & Personal within this Province, according to such Rules & in such Proportion upon the several Towns & Districts within the same, As shall be Agreed on & Ordered by the Great & Gen^l Court or Assembly of this Province at their Session in May 1722: And paid into the Treasury on or before the last Day of December next after. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
489, 491.

Legislative
Records of the
Council, ix.,
485. House
Journal, p. 52.
Province
Laws, ii., 34.

CHAPTER 94.

VOTE REFERRING TO CASCO FORT & PEJEPSCOT FORT.

Legislative
Records of the
Council, ix.,
491.

Legislative
Records of the
Council, ix.,
485, 489.
House Jour-
nal, p. 55.
Province
Laws, ii., 35.

Ordered that the Under-takers to build the Fort at Pejeps Scot be directed with utmost Speed & Diligence to proceed in that Affair & accomplish it by the Time, So that it may be capable to receive & entertain the Men & Stores proposed, And that if it be not possible to build & finish the said Fort at the Time according to the Order of this Court, then what is wanting to be made up by Stockadoes to make it secure & defensible until the Season will allow the Stone Work to be finished. [*Passed August 27.*]

CHAPTER 95.

VOTE CONFIRMING THE GRANT TO THE PROPRIETORS OF SWAMPFIELD TOWNSHIP.

Legislative
Records of the
Council, ix.,
491. Maps and
Plans, iv., 18.

House Jour-
nal, p. 54.

A PLAT [being presented] of the Original Grant of the Township of Swampfield & a Tract of Land adjoining thereto platted out therewith, W^{ch} the Proprietors desire may be added to the said Township Surveyed & laid out by Thomas Hastings Survey^r & the Chain Men under Oath, presented for Allowance & Approbation :

Ordered That the Plat of the original Grant of The Town of Swampfield on the other side being nine miles long & 4 miles wide, be allowed and Confirmed to the lawfull Proprietors. provided It Interfere with no former Grant. [*Passed August 27.*]

CHAPTER 96.

RESOLVE ALLOWING £250. TO THE GOV^R.

Legislative
Records of the
Council, ix.,
491.

House Jour-
nal, p. 56.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the Publick Treasury to his Excellency Joseph Dudley Esq^r Captain General & Governour in Chief of this his Majesties Province, for his Support in Managing the Affairs of the Governm^t. [*Passed August 27.*]

CHAPTER 97.

RESOLVE ALLOWING £50. TO THE L^T GOV^R.

Legislative
Records of the
Council, ix.,
491.

House Jour-
nal, p. 56.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} William Tailer Esq^r in Consideration of his Readiness at all Times to serve this Province. [*Passed August 27.*]

CHAPTER 98.

RESOLVE ALLOWING £300. TO THE JUDGES.

Legislative
Records of the
Council, ix.,
492.

House Jour-
nal, p. 56.

Resolved that the Sum of Three Hundred Pounds be allowed & paid out of the Publick Treasury to the Hon^{ble} the Judges of the Superiour Court of Judicature in Proportion to the Courts they have attended the Year past. [*Passed August 27.*]

CHAPTER 99.

RESOLVE ALLOWING £40. ADDITIONAL TO M^r PRESID^t LEVERET.

Resolved that the Sum of Forty Pounds be added to the Allowance of the Reverend M^r John Leveret, President of Harvard College for the Year Currant beginning in January last & paid out of the publick Treasury in Consideration of the extraordinary Scarcity & Dearness of Provisions & other Necessaries in House Keeping. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
492.House Jour-
nal, p. 56.

CHAPTER 100.

RESOLVE ALLOWING £225. TO THE TREAS^r.

Resolved that the Sum of Two Hundred & twenty five Pounds be allowed & paid out of the publick Treasury to M^r Jeremiah Allen Treasurer of this Province for his Service the Year past, His Trouble being extraordinary in Changing the Bills of Credit, And taking Care for the Supply of the Garrisons. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
492.House Jour-
nal, p. 56.

CHAPTER 101.

RESOLVE ALLOWING £20. TO THE CLERK OF THE COUNCIL.

Resolved that the Sum of Twenty Pounds be allowed be allowed¹ & paid out of the publick Treasury to M^r Joseph Hiller for his Service as Clerk of the Hon^{ble} Council for half a Year beginning the thirteenth Day of March last. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
492.House Jour-
nal, p. 56.

CHAPTER 102.

RESOLVE ALLOWING £20. FOR THE CLERK OF THE HOUSE.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in Part for his Service the Year Curr^t. [*Read and concurred.*] [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
492.House Jour-
nal, p. 56.

CHAPTER 103.

RESOLVE ALLOWING £40. TO JOHN FLAGG.

Resolved that the Sum of Forty Pounds be allowed & paid out of the publick Treasury to M^r John Flagg Door keeper to his Excellency the Governour & Council & this Court for his Service the Year past ending the 26th of June past. [*Passed August 27.*]

Legislative
Records of the
Council, ix.,
492.House Jour-
nal, p. 56.¹ *Sic*, the repeated words being underlined.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-THIRD DAY OF NOVEMBER, A.D. 1715.

CHAPTER 104.

ORDER OF HEARING ON THE PETITION OF JOHN NELSON ESQ^R FOR A
NEW TRIAL.

Legislative
Records of the
Council, x., 2.
Mass.
Archives, cv.,
71.

Mass.
Archives, cv.,
70, 72.

UPON READING the Petition of John Nelson of Boston in the County of Suffolk, Setting forth, That John Cotta Jun^r & Sarah his Wife Bethia Martha & Dorothy Wharton Spinsters, All of Boston aforesaid at the Inferior Court of Common Pleas for the said County of Suffolk held at Boston on the first Tuesday of July 1714 Commenced an Action or Plea of the Case against your Petitioners, Setting forth that whereas they the said Cotta &^e by a Letter of Attorney impowered your Petitioner to sell & dispose of an Estate in Land to them belonging in the Colony of Rhoad-Island to their best Profit & Advantage & to render a true Account of the Proceedings therein to the said Cotta &^e And they in fact said that your Petitioner by Virtue of the said Letter of Attorney had sold & dispos'd of the said Lands for near Three Thousand Pounds, as it was said, Nevertheless the said Petitioner thô often thereto requested by the said Cotta &^e utterly neglected & refused to render a just & true Account thereof, & to pay what of right belong'd to them out of the Proceeds of the s^d Lands to their Damage One Thousand Pounds, And your Petitioner gave Bond to appear at & abide the Judgment of said Court, Wh^h Action was continued to October. Court then next following, But by Reason of the Demise of the late Queen, When it was suppos'd all Actions at that Court would fall, Yet they were continued to the first Tuesday of November, When by Reason that your Petitioner lived upon an Island, & the then Extremity of the Weather, he could not appear, but made default, And Judgment was render'd against your Petitioner to render an Accompt within one Month afterwards, Or pay the Sum of Five hundred Pounds & Costs of Suit, And your Petitioner sheweth that being altogether unacquainted with the Judgment aforesaid, Did not Render an Accompt, Pursuant thereunto, Whereupon Execution was taken out against him for the said Five hundred Pounds & Costs; And as soon as your Petitioner had Knowledge thereof, He presented an Accompt to the s^d Cotta &^e, Whereby it plainly, truly & honestly appears, That there is not one Penny due to the said Cotta &^e, And thô Your Petitioner has sundry times offer'd to submit his Accompt to any impartial Men, & give security to pay what they shall find due to them, Yet they are so unreasonable that they will not accept thereof, But take Advantage of Your Petitioners Latches, And will not be satisfied with any thing less than the said Five hundred Pounds & Costs, And Prosecute your Petitioner with their Execution, That he cannot go about

his lawfull Occasions; Now for asmuch as your Petitioner can have no Remedy at Law, to be releiv'd in the Premisses without a new Tryal, By Reason of his not appearing & Pleading to the said Action, Your Petitioner therefore humbly Prays, That a new Tryal may be granted, & that he will be ready to pay to the said Cotta &c whatever shall be found due on a full & fair Hearing, And that in the mean time Execution against him may be suspended &c

Ordered That the Petitioner serve John Cotta Jun^r Bethia Martha and Dorothy Wharton with a Copy of this Petition That they may shew Reason if any they have why the Prayer thereof should not be Granted on Tuesday next Ten a clock in the forenoon and that in the mean time the serving of the Execution be suspended. [*Passed November 24.*]

CHAPTER 105.

ORDER ON STEPHEN WILLIAMS &c PETITION FOR ROXBURY SCHOOL THAT A PLAT OF 500. ACRES OF LAND BE PRESENTED FOR SAID SCHOOL.

UPON READING a Petition of Stephen William Samuel Williams Edw^d Dor, John Mayo, John Bowles & John Holbrook Feeffors in Trust for the Oversight & Management of the free School in the Town of Roxbury, Setting forth that the said free School is one of the most ancient & famous Schools in this Province, Where by the favour of God more Persons have had their Education, who have been, & now are, worthy Ministers of the everlasting Gospel, than in any, we may say, than in many Towns of the Bigness in this Province, Whereby (Your Petitioners humbly beg leave to suggest) the said Town hathwell deserved of the Publick, And the Hon^{ble} General Court were pleas'd at their Session in October 1660, so far to consider said School as to make a Grant of Lands towards the maintenance of it in the Terms following, viz^t The Court judgeth it meet to grant to the Town of Roxbury Five hundred Acres of Land towards the maintenance of a free School (An attested Copy whereof is herewith exhibited) W^h Grant your Petitioners cannot find was ever laid out (altho they have made deligent Enquiry) And they are well assur'd It hath never been by your Petitioners; Therefore now humbly pray to perfect & make effectual the pious Intention of the former Grant, by allowing your Petitioners to protract & take up the afore Granted Tract of Five hundred Acres of Land by a skilful Surveyour & Chain Men under Oath, in any Place within this Province not yet granted, at the Charge of the said School, And present a Plat thereof to this Honour^{ble} Court for their Allowance & Confirmation, for the Use & Benefit of the s^d School for ever;

Ordered That the Prayer of this Petition be granted, Providd the said Grant has not been satisfied & laid out heretofore, The Petitioners to present their Plat for Confirmation, at or before the Session of this Court in Autumn next; Provided likewise that it be not taken up between the Purchase of Moguncoy & Sutton. [*Passed November 24.*]

Legislative
Records of the
Council, x., 4.

CHAPTER 106.

ORDER CONTINUING THE HEARING ON BRIDGWATER PETITION TO 7TH OF DECEMBER NEXT.Legislative
Records of the
Council, x., 4.

THIS DAY being appointed for the Hearing the Petition of Sundry of the Easterly Part of the Town of Bridgwater;

Ordered That the Hearing be deferred to Wednesday the seventh of December next, And that the adverse Party be serv'd with a Copy of this Order. [*Passed November 24.*]

CHAPTER 107.

ORDER OF HEARING UPON MARBLEHEAD PETITION TO BE MADE A SEPARATE PRECINCT.

Legislative
Records of the
Council, x., 5.

UPON READING the Petition of John Legg Esq^r Cap^t Edward Brattle, Richard Skinner, Richard Trevot, Eleazer Ingo^[1]ss¹ John Stacey, John Holman, John Palmer & Jeremiah Getchel a Committee for Marblehead in behalf of themself & those whom they represent, Setting forth that the said Town of Marblehead being of late Years by the good Providence of Gode greatly increas'd, Insomuch that the Inhabitants cannot possibly with any Convenience assemble together in one Place or House for the Publick Worship of God, And a second or new Meeting House hath for some time been tho't convenient & necessary, Whereupon the Petitioners & their Associates (being mov'd as they trust by a good Principle, & not in the least from any Disaffection to the Rev^d M^r Pastour & Curch² of Christ with whom they have hitherto assembled) on the fifth day of February last past solemnly agreed upon several Articles referring to the building a new Meeting House in the said Town of Marblehead for the Publick Worship of God, the Advancement of Religion & the Ease & Comfort of themselves & Families, & all such as shall succeed them with a particular regard to the Rev^d M^r Edward Holyoke for their intended Minister, As may be seen by a Copy of the Articles of Agreement, Of all which the said Town of Marblehead were very well acquainted, and so far satisfied in, as on the fourteenth Day of March last past to come to the following Resolutions; Viz^t

That the Town gives their Consent & Liberty to the Undertakers for building a new Meeting-House in this Town, The said Undertakers doing it at their own Cost & Charge, & the Town as a Town not to be burthen'd or charg'd therewith, Also in the Interim untill the New Meeting House be built & finish'd, M^r Johm² Bernard & Edward Holyoke be the two Gentlemen of the Ministry to help & assist the Rev'd M^r Sam^l Cheever the Minister of this Town in Preaching the Word of God to the Inhabitants in their turns, And that the said M^r Bernard & M^r Holyoke be maintain'd at the Town Charge out of the Publick Treasury of the Town as formerly, Or as can be agreed for: Pursuant to which Articles under the Countenance & Encouragment of the Town of Marblehead by their Votes. The Petitioners have with great Deligence & Pains & Expence, rais'd & upon the matter finished a large, fair & convenient Meeting House or Church every way fitted for the Use & Service before mention'd & intended, & were under just

¹ In the State Library copy this name is written "Ingols," Legislative Records of the Council, x., 5. See also History of Marblehead, p. 477, Roads, 1897.

² *Sic.*

Hopes & Expectations that their Fathers Brethren & Neighbours of the Town of Marblehead would according to their good Beginning have gone on & held out in Assisting & Encouraging their lawfull commendable & indeed necessary Design as aforesaid, And therefore it is with great Unwillingness & Grief of Mind that they are under a Necessity of laying their Complaint & Representing their Condition to the Great & General Court, And that at a Town-meeting of the Inhabitants of Marblehead on the twenty sixth Day of September last there was Voted a Salary of Eighty Pounds p Annum to be paid to the Rev^d M^r John Bernard the chosen Minister of the Town, so long as he remain & continue a Minister there, to be paid out of the Town Treasury by Order of the Select Men of the said Town, Against which Votes the Petitioners for themselves & their Associates, who are a very considerable number, offered two several Petitions or Protests in writing, One of which was refus'd to be read, & the Other, tho read, had no Answer made to it, contrary (as the Petitioners suppose) not only to Christian Charity, but to the Rules of common Justice, and the Usage & Practice of Towns in such cases, So that your Petitioners have very little Reason to expect any manner of Relief under their deplorable Circumstances, Unless it be from the Hon^{ble} General Court:

Humbly Representing (1) That not only in the Judgment of the neighbouring Towns & People, But in the Judgment of the Inhabitants of Marblehead it self, They are grown so numerous as to be able comfortably to fill two Houses for the Publick Worship of God, And that in the manner & method of the Establish'd Churches¹ & Congregations of New England; (2) That the Petitioners humbly hope & believe by the favour of God ha[n]d-somely & Comfortably to support the Charge of the Ministry by & among themselves. , & shall be very willing & thankful to be allowed so to do, (3) That they have always declar'd themselves to be & still are willing so long as the Rev^d M^r Cheever their worthy & faithful Pastour shall live to be at their full Proportion of Charge toward his Honourable maintenance, (4) That they humbly hope that the Hon^{ble} Court will be of Opinion, That so soon & so long as they shall support a Minister of the Ordinances of the Gospel by & among themselves at their own sole Charge (which will be very considerable) they should not besides & added to all that, be oblig'd to support any Assistant or Successeur to the said M^r Cheever; (5) That they doubt not but the Hon^{ble} Court will think it very hard & unreasonable, When they were first encourag'd by a Vote of the Town to build a new Meeting House They should now have that Grant of the Town encumbered & in a Sort defeated by Laying a Burthen upon the Petitioners which was not then so much as thought of; (6) That they suppose it to be againts¹ the Rules both of God & Man, That when they regularly & honourably support an Orthodox Minister of their own, They should be oblig'd to pay any Thing towards the Maintenance of a Minister of an other Chur[c]h, & under whose Ministry they are not to be, And for as much as there are several distinct Præcincts or Congregations in several Towns in this Province, especially in Boston, Where with great Ease Freedom Justice & Cheerfulness they maintain their several & respective Ministers; That the Petitioners do humbly pray that the Hon^{ble} Court will be pleased to take their Case into Consideration & either make them a distinct & separte Parish or Order the whole Charge of the Ministers of M^r Cheevers Church as it is called, & that built by the Petitioners to be assess'd & laid in Common upon the Inhabitants of the said Town attending the said Churches, or allow the Inhabitants or People of each respective Church or Congregation by Subscription or Contribution to maintain their respective Ministers;

¹ *Sic.*

Ordered That the Petitioners serve the Town of Marblehead with a Copy of this Petition, That they may shew Reason (if any they have) to this Court on the seventh Day of December next, Why the Prayer thereof should not be granted. [*Passed November 25.*]

CHAPTER 108.

ORDER CONFIRMING A GRANT OF 10,240. ACRES OF LAND TO HADLEY.

Legislative
Records of the
Council, x., 7.
Maps and
Plans, iv., 37.

THE SURVEY [being presented] of Ten thousand, two hundred & forty Acres of Land being the Contents of Four Miles Square lying at the South West Corner of the Hadly Township, & is describ'd by a plan thereof, And adjoining to the said Township of Hadly on the North, on Connecticutt River Westerly, & on Springfield Southely, by John Chandler Jun^r

Ordered That the Said Plat be Accepted & the Land therein Contained, be Confirmed to the Town of Hadley, as the fulfillment of the Grant, of four miles Square of Land made to them by the Generell Court in May 1683. [*Passed November 25.*]

CHAPTER 109.

RESOLVE ALLOWING £15. TO CHA^s GREENFIELD FOR HIS SERVICE IN DISCOVERING A COUNTERFEIT BILL.

Legislative
Records of the
Council, x., 7.

UPON READING the Petition of Charles Greenfield of Amsbury Setting forth, That at the last Court of Assize &c holden at Salem in the County of Essex in November Instant he discover'd & bro't to Justice one Henry Trussel of Amesbury for Altering & Encreasing one of the Bills of Credit of this Province, Viz^t a four Shilling Bill into a Forty shilling Bill, Of which Crime the said Henry Trussel was convicted, For which publick service, he hop'd to have receiv'd a Reward of Fifty Pounds mention'd in an Act of this Province against Counterfeiting Bills of Credit, But the Hon^{ble} Judges of the said Court of Assize &c being of Opinion y^t the said Reward concern'd only making or altering Counterfeit Bills from off a Plate, The Petitioner makes Application to the Great & General Court, Humbly hoping they will take his service into Consideration & allow him some Reward for it:

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the Publick Treasury to Charles Greenfield the Petitioner in Consideration of his good service to the Publick mention'd in his Petition. [*Passed November 25.*]

CHAPTER 110.

ORDER CONFIRMING TITLE TO A PLAT OF 700. ACRES OF LAND FORMERLY GRANTED TO THE REV^d M^r JOHN HIGGINSON NEAR HAVERHILL POND.

Legislative
Records of the
Council, x., 7.
Maps and
Plans, iv., 26.

A PLAT, of Land [being presented] containing Seven hundred Acres formerly Granted to the Rev^d M^r John Higginson, Beginning upon a Pond formerly call'd Haverhil Pond lately call'd Policy Pond, There being some White Birch Trees mark'd H & an Heap of Stones, one

of which Stones is also mark'd H, From thence running South upon Haverhil Line Seven hundred & thirty Poles to a Pitch Pine standing in Haverhil Line, the Top of which is broken of, & is mark'd with two Hs. & some Stones sett about it, One of which is likewise Mark'd with the Letter H, And then running from thence North Four hundred & sixty five Poles to the Pond above mention'd, Where is a Hemlock Tree mark'd with the Letter H the cross way, & an heap of Stones by the said Tree, W^h is mark'd with the Letter H, And from thence along the Pond to the Bounds abovemention'd: Upon which Platt of Land the following Vote pass'd in the House of Represent July 21. 1715. viz^t

Ordered That the Land Laid out, & Protracted in the Plat on the other Side, be Confirmed as the Seven Hundred acres formerly Granted, to the late reverend M^r John Higginson Provided It Intrinch not upon any former Grant.

Ordered That the Vote abovemention be Revived. [*Passed November 25.*]

CHAPTER 111.

RESOLVE ALLOWING £100. TO D^r THOMAS OAKES ON ACC^o OF HIS AGENCY FOR THIS PROVINCE.

Resolved, that the Sum of One hundred Pounds be further allow'd & paid out of the Publick Treasury to D^r Thomas Oaks, W^h with the Sum of Three hundred & fifty Pounds heretofore paid him is in full for his service as Agent for this Province at White-Hall from December One Thousand six hundred & eighty nine, to October One thousand six hundred & ninety two. [*Passed November 26.*]

Legislative
Records of the
Council, x., 8.

CHAPTER 112.

RESOLVE ALLOWING £300. TO Y^e HEIRS OF ELISHA COOK ESQ^r FOR HIS AGENCY FOR THIS PROVINCE.

UPON READING the Memorial of Elisha Cook Esq^r of Boston in the County of Suffolk, Setting forth, That in the Month of December One Thousand six hundred & eighty nine, The Hon^{ble} Elisha Cook Esq^r Father to the Memorialist was by the then General Court of the Colony of the Massachusetts Bay Constituted & appointed one of their Agents, to transact & manage their Affairs at the Court of England, & in the Month of february following proceeded on his Voyage there, Where he continued in that service till the Month of October One thousand six hundred & ninety two, almost three Years, All which time to the utmost of his Skill & best ability, he constantly faithfully & industriously served his Country, tho to the very great hurt & damage of his own particular Estate by being so long from his family, & consequently to his Loss in his Practice as a Physician, which he then us'd & apply'd himself to; And in as much as he never receiv'd more than One hundred & fifty Pounds, W^h is much less than he would have gotten in One year had he remain'd at home by his Practice; Praying the Hon^{ble} Court to take the Premisses into their Consideration, And make such further Recompence & Satisfaction for his Fathers Service, as they shall in their great Prudence think meet & reasonable

Legislative
Records of the
Council, x., 8.

Resolved that the sum of Three hundred Pounds be allowed & paid out of the Publick Treasury to M^r Elisha Cook the Memorialist for the Heirs of Elisha Cook Esq^r Dec^d W^h with the sum of One hundred & fifty Pounds already paid, is in full for the Service of the Memorialists Father in his Agency for this Province, from December One thousand six hundred & eighty nine to October One thousand six hundred & ninety two. [*Passed November 26.*]

CHAPTER 113.

ORDER APPOINTING A COMMITTEE ON THE PETITION OF INHABIT^r OF THE EAST END OF TAUNTON NORTH PURCHASE.

Legislative
Records of the
Council, x., 8.

UPON READING a Petition of several of the Inhabitants of the East End of Taunton North Purchase, Setting forth, That it being formerly reserved by the General Court in their Grant of a Township that one Half Part of Taunton North Purchase (namely the Easterly Part thereof next to Bridgewater should be & belong to the Inhabitants thereof to make a distinct Plantation as soon as the Court should judge them able & fitt to have the Preevilge of a distinct Village or Plantation granted them; The Petitioners notwithstanding their Poverty & the small number of their Inhabitants humbly Praying that they may be formed into a distinct Town, & that they may have the Privilege of a Township Granted to them;

Ordered that Sam^l Thaxter, Josiah Edson & George Leonard Esq^r be a Committee to Enquire into the State and Number of the Inhabitants, the Extent & Quality of their Lands, & Whither they be fitt to be erected into a Township or Precinct, And make return to this Court in May next, the Petitioners to bear the Charge of y^e Committee. [*Passed November 26.*]

CHAPTER 114.

ORDER ACCEPTING THE REPORT OF THE COMMITTEE FOR BURNING UNSERVICEABLE BILLS, & DISCHARGING THE TREASURER.

Legislative
Records of the
Council, x., 9.

IN OBEDIENCE to an Order of the Great & General Court at their Sessions in May 1715. Appointing Us the Subscribers a Committee to take an Account of torn & defaced Bills of Credit &c We have accordingly receiv^d of M^r Treasurer Allen the several Bills of the Denominations mentioned in the within Accompt. Amount^g to the Sum of Ten thousand three hundred fifty nine Pounds fifteen shillings and ten pence at their express^d Value; All of which Bills We have consum^d to Ashes. Whereof Six thousand five hundred sixty eight Pounds eight shillings & two pence, Part of the abovesaid sum were deliver^d us upon the Province Acc^o, As being receiv^d for Taxes Impost & Excise, Which with the Adv^o of 5 *p* Cent, As they were taken into the Treasury, Amount to the Sum of Six Thousand eight hundred & ninety six Pounds fifteen Shillings & six pence, Also Two Thousand two hundred & nine Pounds & two pence nett Bills as being exchang^d in the Treasury, And One Thousand five hundred eighty two Pounds seven shillings & six pence Nett Bills, receiv^d for the Province Galley, Making in the whole, Ten Thousand six hundred eighty eight Pounds

four shillings & two pence, As Witness our Hands this fifteenth of October 1715

JOHN CLARKE
ADDIN DAVINPORT
THO HUTCHISON
THOMAS FITCH
ADAM WINTROP

OLIVER NOYES
W^M PAYNE
ELISHA COOK
CHAMBERS

Order'd That the Treasurer be discharg'd of the Sum of Ten Thousand six hundred eighty eight Pounds four shilling & two pence. [*Passed November 26.*]

CHAPTER 115.

ORDER ALLOWING £10. TO WILL^A WILLIAMS OF WESTON ON HIS PETITION.

UPON READING a Petition of William Williams of Weston in the County of Middlesex Clerk, Importing that he humbly addressed the Great & General Court or Assembly at their Session in June last, Praying that he may be rewarded for his Service in Attending upon the Gentlemen Commissioners in their Journey to New York in the Service of the Government, whom he served as their Chaplain & Clerk & was at extraordinary Expence for an Horse &c, for six or seven Weeks in the said Service, as appears more fully in his Petition aforesaid, That his said Petition happened to be read when some worthy Members were absent, who were well acquainted with his Service, Humbly hoping that the General Court will be pleas'd to take his Case & Service into Consideration, and make him such Allowance as they shall think meet;

Legislative
Records of the
Council, x., 11.

Resolved that the sum of Ten Pounds be allowed & paid out of the Publick Treasury, to the Rev^d M^r William Williams in full for his Service mention'd in his Petition. [*Passed November 29.*]¹

CHAPTER 116.

RESOLVE ALLOWING HUGH PIKE £8.

UPON READING a Petition of Hugh Pike, Importing y^t in the Year One thousand seven hundred & seven being engaged in her late Majestys & his Countreys Service in the Expedition to Port Royal in the Post of an Ensign to the Honble Colo Walton, And that in the said Service he was unhappily wounded by the Enemy, Which depriv'd him of the use of one of his Leggs, W^h hath render'd him wholly incapable of Contributing any thing to the Subsistence of him self or family for diverse years past, That he has already had some Allowance in the nature of a Pension, which he is very thankful for, That he is now under Confinem^t in the Prison of Boston for Debt in a most miserable Condition, And he most humbly Prays the Hon^{ble} Court will be pleas'd to take his case into their Consideration, & grant him such Releif as in their great Wisdom they shall think fit

Legislative
Records of the
Council, x., 11.

Resolved that the Sum of eight Pounds be given to the Petitioner, And that D^r Ellis take care of him in his present Exigency. [*Passed December 1.*]

¹ Erroneously entered in the State Library copy, Legislative Records of the Council, x., 12, and in the Secretary's copy, *Ibid.*, x., 10, as Tuesday, November 28.

CHAPTER 117.

ORDER CONFIRMING A PLAT OF RUTLAND CONTAINING 93,160. ACRES.

Legislative
Records of the
Council, x., 12.
Maps and
Plans, iv., 30.

Legislative
Records of the
Council, ix.,
366, 368.

A PLAT [being presented] of the Township of Rutland Ninety three Thousand one hundred & sixty Acres, Including One thousand Acres for M^r Sewall surveyed by William Ward Sworn Surveyor & Ephraim Wilder of Lancaster & Daniel Stow of Sudbury Chain men under Oath in the Month of October One thousand seven hundred & fifteen, And is describ'd as follows. viz^t C a White Oak from C to B 1,920. Rods, from B to A is 1,200. Rods, from A to F 2,340. Rods, At F a Pine Tree & Stones; from F to E 3,230. Rods, At E Stones near a little Oak. From E to D 4,080. Rods, At D an Ash Tree in a Swamp, from D to C Run by M^r Hayners 3,421. Rods

Ordered That the Land Described and Delineated in the Plat on the other Side Laid out, & Protracted, by W^m Ward Survey^r be allowed and Confirmed to be the Township of Rutland.

And That the Fee and Property thereof be vested and Setled, pursuant to the order of this Court,. Pass'd in Febr^{ry} anno 1713. whereby the Town of Rutland was first Granted reserving to the Province the Thousand acres reserved, & Laid out in the S^d Plat for that end, and to particular Persons Such prior Grants as are Contained therein. [*Passed December 1.*]

CHAPTER 118.

ORDER GRANTING THE PETITION OF THO^s WABON & SOLOMON THOMAS OF NATICK FOR APPOINTMENT OF TRUSTEES ON BEHALF OF INDIANS.

Legislative
Records of the
Council, x., 13.

UPON READING the Petition of Thomas Wabon & Solomon Thomas in Behalf of themselves & all other the Proprietors & Inhabitants of the Indian Plantation of Natick within this Province, Importing, That whereas the Gentlemen of the Committee for the Purchase of the Lands of Moguncoy having consummated that Matter, As may appear under the Hands & Seals of the Committee bearing Date the eleventh of October 1715, They do most gratefully acknowledge the Kindness of these Gentlemen to them in that Concern, and as it hath been intimated to them by these Gentlemen, That they should have their own free Choice in the Nominating such Gentlemen as shall be appointed Overseers or Trustees in the Taking Care of & rendering to them & their Successors such yearly Income as they have agreed for in the aforesaid Concern of Moguncoy Lands, Humbly Praying that Samuel Sewell Esq^r The Rev^d M^r John Leveritt President of Harvard College & Major Thomas Fitch may be Trustees & Overseers for them;

The Sum to be managed by the Trustees in Behalf of the said Indians is four hundred Pounds in Bills of Credit on this Province.

Ordered that the Prayer of the Petition be granted, And that M^r Daniel Oliver of Boston Merchant be added to the Trustees. [*Passed December 2.*]

CHAPTER 119.

ORDER ON THE PETITION OF MATH^w WHIPPLE &^c OF IPSWICH HAMLET
Y^t THE PETITIONERS BE SETT OFF TO Y^e NEW PRECINCT.

UPON READING the Petition of Cp^t Mathew Whipple John Whipple Mathew Whipple Tertius, All of Ipswich within the New Precinct called the Hamlett in Behalf of themselves & others, Praying that a farm called Saltonstals farm & the neighbouring Inhabitants may be sett off to & made part of the said Preeinct: And likewise a Petition of several of the neighbouring Inhabitants, Praying to be dismissed from the Town of Ipswich & incorporated into the said new Precinct;

Legislative
Records of the
Council, x., 13.

Upon which two several Orders were passd in y^e last¹ may Sessions Viz^t One upon the first of June, & the other upon the fourteenth of June

Ordered that the Prayer of y^e Petition be so far granted, That the farm call'd Saltonstals farm & the Neighbouring Inhabitants, who have supplicated this Court that it may be so, be sett off to the new Precinct called the Hamlet, Except Nath^l Adams who has petition'd the Contrary.
[*Passed December 2.*]

CHAPTER 120.

ORDER ACCEPTING THE REPORT OF NEWTOWN COMMITTEE ABOUT A
MEETING HOUSE.

WE THE COMMITTEE appointed to go to Newtown to determine & report to the General Assembly the most suitable Place in the s^d Town for Erecting a Meeting House for the Inhabitants of said Town, Having been there on the ninth of June Instant, Pursuant to a Vote of said Town & their Petition, & view'd the Places propos'd by them for the End aforesaid, Are of Opinion, That the most suitable Spot for Erecting a Meeting-House in the said Town for Accommodation of the greatest Number of said Inhabitants is upon a Piece of Land, of Nath^l Parker's about one hundred & twenty eight Rods East South East near a Quarter of a Point Easterly from the Center of said Town (according to a Plan drawn & taken by M^r Joseph Burnap Surveyour) Where there are several Trees mark'd on said Spot.

Legislative
Records of the
Council, x., 14.

Sign'd, JOHN OTIS in Behalf of the Major
Part of said Committee

Ordered, That the Meeting House remain where it now is for the Space of Five Years, And that then a New Meeting House be erected in such Place near the Center of the Town, As the Town shall then agree upon. [*Passed December 3.*]

CHAPTER 121.

RESOLVE ALLOWING £5. TO JOS^{ph} BRAMHAL.

UPON READING a Petition of Joseph Bramhal of Boston Cooper, Importing, that he was impress'd into the Service while he was an Apprentice in S^r William Phips's Governm^t & afterwards was a Sol-

Legislative
Records of the
Council, x., 14.

¹ Written "sast."

dier twelve Years at the Castle, Having been always in the Service till he was discharged about fifteen Months since, that by his Hardships in the Service he contracted the Distemper call'd the Dry-Belly-Ach, Whereby he has for the Space of ten Months past lost the Use of his Limbs in a great measure, & has been Bed-ridden for eleven months & unable to help himself, And has spent all his Substance upon Doctors, & Medicines; Therefore most humbly Praying that the Court will be pleas'd to compassionate his distress'd Condition:

Resolved, that the Sum of Five Pounds be allowed & paid out of the Publick Treasury towards the Releif of the Petitioner & that Coll Adam Wintrop be desir'd to receive the same, & expend it as he shall think most for the Benefit of the Petitioner. [*Passed December 3.*]

CHAPTER 122.

RESOLVE ON THE PETITION OF JOHN STAPLES TREASURER OF NEW-TOWN, IN REGARD TO CERTAIN FAMILIES SET OFF TO ROXBURY.

Legislative
Records of the
Council, x., 15.

UPON READING the Petition of John Staples Treasurer of the Town of Newtown, Importing, That whereas the Inhabitants of the said Town did agree with the Rev d M^r Cotton to give him One hundred & fifty Pounds in¹ Money for his Settlement, That notwithstanding the General Court had given Orders to sett of six families to the new Precinct in Roxbury so long as they should contribute there, That M^r Nath^l Healy who is one of the six families did publicly declare that he did not apprehend, that these families were by the General Court, Order free d from Paying the Settlement Rate, but only from the Yearly Salary, That the said M^r Healy being rated accordingly hath freely paid his Proportion. But that William Ward & some others of the said six families do absolutely refuse to pay their Proportion of the said Rate, By which means the said M^r Cotton has been kept out of his just Right above ten months, That he humbly craves the opinion of the General Court Whether those six families sett of to Roxbury shall be oblig'd to pay the said Settlem^t Rate or not, And whether a certain sum of Money given to a Minister to settle himself withal be a proper & sufficient Settlement.

Resolved that the said six families who are allowed to attend the Worship of God in Roxbury are dismiss'd from the Charge of the Annual Maintenance of the Ministry at Newtown until this Court give further Order & from no other Town Charges; And that whereas the Town agree to give a Sum of Money to their Minister to purchase for himself a Settlement the Inhabitants are rateable thereto; And equally as if the Town had made such Purchase. [*Passed December 3.*]

CHAPTER 123.

RESOLVE REVIVING A RESOLVE, ALLOWING £20. TO DARTMOUTH.

Legislative
Records of the
Council, x., 15.

UPON READING the Petition of William Spooner Jabez Delane Caleb Blackwell & others the Inhabitants of the Town of Dartmouth, importing, That whereas M^r Samuel Hunt has been near seven Years Minister of the said Town to their great Satisfaction upon a very slender Salary, That all his Hearers are not able to allow him more than Thirty Pounds, That upon greater Encouragements to him from other Towns

make them apprehensive of his leaving them destitute of a Minister: Humbly Praying, that the Great & General Court would please to compassionate their Case, & to encourage M^r Hunt to remain among them by Giving such an Allowance as they shall see meet.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury towards the maintenance of the Ministry at Dartmouth for the Year ensuing.

Resolved that the Vote above be revived & sent up for Concurrence; The Year to begin in June: In Council Read & concer'd. [*Passed December 3.*]

CHAPTER 124.

RESOLVE ALLOWING £12. 15. 3. TO JOS^u MARION.

AN ACCOMPT brought in by Joseph Marion of Transcribing several Bills in the last May July & August Sessions & Engrossing the same, As also for Engrossing the Journal of the House of Represent^{ves} in their several Sessions in the Months of May July & August in y^s present Year 1715

Legislative
Records of the
Council, x., 16.

[Read and]

Resolved that the Sum of twelve Pounds, fifteen shillings & three pence be allowed and paid out of the publick Treasury to Joseph Marion to discharge his Accompt. [*Passed December 3.*]

CHAPTER 125.

RESOLVE ALLOWING £10. TO JOS^u MARION.

UPON READING the Memorial of Joseph Marion importing, That he was imploy'd almost four Years as Clerk to the Hon^{ble} Isaac Addington Esq^r late Sec^{ry} of this Province, & that during the time of the late Expedition to Canada (in an especial manner) with all Diligence & Fidelity Attended the said Office by Dispatching much Business in the Affairs of the Governm^t upon that extraordinary Occasion, That upon M^r Addintons Indisposition, he was directed to attend at the Council Board, W^h accordingly he did, And by Order of the Governour & Council, Assisted in July last past in dispatching the publick Business upon the late Rupture with the Indians, That the Memorialist never receiv'd more than his ordinary Allowance of two shillings & eight pence per Diem, nor any consideration for his Service in Attending at Council Board, Humbly Praying that the General Court will consider his service, & make such Allowance as they shall see meet.

Legislative
Records of the
Council, x., 16.

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury to Joseph Marion the Memorialist in full for his Service sett forth in his Memorial. [*Passed December 3.*]

CHAPTER 126.

ORDER CONFIRMING TO JOSIAH WHITCOMB HIS FOURTH PART OF NASHOBA, HEREAFTER TO BE CALLED LITTLETON.

UPON READING the Petition of Josiah Whitcomb of Lancaster. importing, That whereas the Great & General Court or Assembly at the

Legislative
Records of the
Council, x., 16.

Session in Oct^r 1714, in consideration that the Land called Nashoba Land then Ordered to be made a Township was purchas'd of the Indians one Half by M^r Bulkley & M^r Henchman, & the other half by Whetcomb (the Petitioner, who was suppos'd to be dead as he is inform'd) And that one Powers did Order that the said Purchase be confirm'd to the Children of the said Bulkley Whetcomb & Powers & to C^p Robert Mears Assignee of M^r Henchman according to their respective Proportions, As by the Copy of the Order of Confirmation of the General Court will more fully appear, Humbly Praying that the General Court will please to revoke the Confirmation or Grant made to his Children, & confirm to him his fourth part of the said Land, that he may enjoy what he honestly purchas'd, & that he may have Liberty to make Disposition thereof according to his own Will & Pleasure;

Read & Consented that the Prayer of the within Petition be granted, And

Ordered that the name of the Township be henceforth called Littleton. [*Passed December 3.*]

CHAPTER 127.

ORDER ALLOWING DANIEL POWNING TO DEMAND 6^p & BBL 1/. FOR 2 BBLs 2/. FOR MORE Yⁿ 3 BBLs OF POWDER.

Legislative
Records of the
Council, x., 17.

Executive
Records of the
Council, vi.,
360.

UPON READING a Petition of Daniel Powning Keeper of the Powder House in Boston, Importing, That for six years past he has serv'd as Keeper of the Powder House in Boston, & constantly attended the same both in Receiving & Delivering out Powder, at the Times limited & directed by the Governours Instructions to him. W^h is upon Mondays Wednesdays & Frydays, weekly from the first of March to the first of November from ten o Clock to twelve in the forenoon, that notwithstanding his strict Observance of his Instructions, He finds by Experience that the time limited is not sufficient, Many Persons coming in other Seasons, whereby his Time is principally taken up in that Service & the Province Stock of Powder daily increasing from the Impost Office, & other Quantities of the Merchants Powder being now Housed & which he has himself turn'd once a month, That the Quantity of Powder is very great & daily increasing, W^h will put him under the Necessity of Hiring a Person to assist him in Turning it, W^h will much lessen his Salary; Humbly Praying that the General Court will please to consider the Premises & either enlarge his Salary or give Directions for some fees to be paid by such Persons as shall attend at the appointed House;

Ordered That the Petitioner be allowed to demand & take the Sum of six pence for every single Barrel, Half Barrel or Quarter of a Barrel of Powder deliver'd out of the Time order'd by this Court for his Attendance, For two Barrels one Shilling, & for any greater Quantity than three Barrels Two Shillings. [*Passed December 5.*]

CHAPTER 128.

ORDER CONFIRMING A PLAT OF 1,000. ACRES OF LAND BELONGING TO Y^{er} REV^d M^r JN^o ELIOT OF ROXBURY.

Legislative
Records of the
Council, x., 18.

A PLAT [being presented] of One Thousand Acres of Land purchas'd, by the Rever'd John Eliot Clerk, of Roxbury Dec^d, of Woot-

tonookin & Nahan¹ the twenty seventh of September 1655, & Confirm'd & Allowed by the General Assembly of the Province of the Massachusetts Bay to such of the Descendants of the said John Eliot as are legally entitled to the same on the 17 & 22 of June 1714, As of Record appears; Which said Thousand Acres of Land lies Southward of & contiguous to the Township of Brookfield alias Quaboay, It begins at a Popple Tree mark'd & an Heap of Stones about it about two Perch from a Pond call'd Pookookappoy, And thence runs by the Needle of the Surveying Instrument West 27° 00' North 402 Perch to a Stake & Heap of Stones on the Eastward Side of a Hill, And then South 5° 00' West 400 Perches to a large Heap of Stones to the Westward Side of a Ridge of Rocks, From thence East 27° 00' Degrees South 460 Perch, & from thence North 3° 00' West 428 Perch to the Corner first mentioned, As is describ'd by the Plat Surveyed by John Chandler Jun^r Surveyor

Maps and
Plans, iv., 34.

Ordered That the Plat on the other side be Accepted, and the Land therein Described be Confirmed to the Descendants of the late reverend John Eliot Dec^d pursuant to the vote of this Court Pass'd for that end at their session in June anno 1714. [*Passed December 5.*]

CHAPTER 129.

RESOLVE ALLOWING £10 TO MARTIN KELLOG.

UPON READING a Petition of Martin Kellog, Importing, That being an Inhabitant of the Town of Deerfield in the Time of the great Destruction of it by the French & Indians about twelve Years since, & a great Sufferer both in the Loss of his Estate & in the Hardships of a tedious & long Captivity, from which by a dangerous Adventure he escaped, & has since been in the Service & at all times shew'd himself ready to serve his Country, And humbly Praying that the General Court will be pleas'd to consider his Circumstances, and make him such Recompence as they shall think meet;

Legislative
Records of the
Council, x., 18.

Resolved that the Sum of Ten Pounds be allowed & paid out of the Publick Treasury to Martin Kellog the Petitioner in Consideration of his uncommon Bravery & Suffering in the Publick Service. [*Passed December 6.*]

CHAPTER 130.

ORDER CONTINUING THE PETITION OF ELISHA HEDGE &^c OF CHATHAM TO NEXT MAY SESSION.

UPON READING a Petition of Elisha Hedge, John Smith Son & Heir to Samuel Smith late of Eeasham² Dec^d David Melvil & Hugh Stuart of Monomoy alias Chatham, Importing that whereas they did in y^e Year 1694 purchase of the Indians John Quason & Josephus Quason of Monomoy alias Chatham in the County of Barnstable a certain Beach commonly called Monomoy Beach lying Eastward of said Monomoy, with several parcells of Meadow or Sedge Ground lying adjacent thereunto, As may be seen by an Instrument of Conveyance under the Hands & Seals of the said John Quason & Josephus Quason, W^h said Meadow & Beach was never as they can learn by the General Court granted to

Legislative
Records of the
Council, x., 19.

¹ "Nakan" in the State Library copy, Legislative Records of the Council, x., 20.

² *Sic.* for Eastham, it seems.

any Persons whatsoever, And therefore they thought they might with safety purchase the same, It being no way to the Prejudice of the said Indians to sell a Beach, which was no way likely to be profitable to them, That the said Purchase was made before any Law of this Province was made to the Contrary, That they have for many Years quietly enjoyed & possess'd the said Beach with its Appurtenances, & have since sold and made Conveyances of a considerable Part of the said Beach to other Persons, who have quietly possess'd & improv'd the same without any manifest Dislike to the Indians, Yet notwithstanding some English do trespass upon the said Beach by turning over Horses & Cattle to graze thereon, & they also mollest & disturb the Persons to whom it was sold, whereby great Inconvenience & Damage is like to ensue to your Petitioners unless timely prevented; Humbly Praying that the General Court will please to take this Matter into Consideration, & releive them by Confirming a Grant of the said Beach with its Appurtenances which are specified in the Deed of Sale made to them by John & Josephus Quason :

Ordered that this Petition be continued until the next May Session, And that in the mean time Publick Notice be given by the Petitioners in the Town of Chatham, That if any Persons have any reasonable Objection to make, they may then be heard. [*Passed December 6.*]

CHAPTER 131.

VOTE ALLOWING £65. 19. 6 TO LEIVT TUTHILL.

Legislative
Records of the
Council, x., 20.

UPON READING the Petition of Zecheriah Tuthil Lieu^t & Master Gunner of His Majestys Castle William, Importing, That in sundry Petitions to the Hon^{ble} General Court he suppos'd considerable Arrears due to him by an Establishment made & pass'd in the Year 1700. But since is inform'd that by a Resolve past by the General Court the first day of December 1705, It was intended that the said Establishm^t should not continue, but for the future, That the Offices of Leivytenant & Master Gunner should be in two suitable Persons, And that the Leivytenant should receive out of the publick Treasury the Sum of Sixty Pounds *per* Annum, & that according thereto he has been paid, And now he Humbly Prays that for the Year & ten Months before that Resolve was made, He may receive his Arrears then due, W^h amounts to the Sum of Sixty five Pounds nineteen shillings & six pence, He having receiv'd no more than Forty Pounds for his first Years Service, & after the Rate of Fifty Pounds for his second Year; Humbly Praying, That the General Court will please to consider his Service & make such Allowance as they shall think meet¹

Whereas the General Court at their Session in May 1700, Resolved that the Leivytenant of the Castle on Castle Island performing the Duty of Leivytenant & Gunner should be paid out of the publick Treasury Eighty Pounds per Annum, And in as much as in December 1705. The Court did again Resolve that the Office of Leivytenant & Gunner should be in two Persons;

Voted that the Sum of Sixty five Pounds nineteen Shillings & six pence be allowed & paid out of the publick Treasury to the Petitioner, He having no Pretence or Claim to any more by reason of the last Resolve, Altho ha^d may have since that perform'd the Duty of Leivytenant & Gunner. [*Passed December 6.*]

¹ Understand here some such words as "The following answer was given."

² *Sic.*

CHAPTER 132.

ORDER APPOINTING A COMMITTEE ON BRIDGWATER PETITION ABOUT
A MEETING HOUSE.

In Council

Ordered that John Cushing & Edmund Quincy Esq^{rs} with such as the Represent^{ves} shall joyn with them be a Committee to repair to Bridgewater & view the Town & consider of the most convenient Place for Erecting a New Meeting House, Having a Regard to the Suggestion of the Town, That there will soon be need of a third Meeting House; & make Report to this Court at their next Session, Unless y^e Town in the mean time agree the matter among themselves, The Town to be at the Charge of the Committee

Legislative
Records of the
Council, x., 21.

In the House of Represent^{ves} Read & Concur'd, & Cpt George Leonard Cpt Henry Hodge & Cpt Jacob Thomson are join'd with y^e Compt^{ee}.
[*Passed December 7.*]

CHAPTER 133.

ORDER APPOINTING A COMMITTEE TO COMPUTE Y^e CHARGE OF Y^e
HIGH WAY TO PATUCKET BRIDGE.

Voted that Nathaniel Payne Esq^r Mess^{rs} Moses Reed & John Rogers be a Committee to consider and compute the Charge of a High Way to Pantuckett Bridge & lay the same before this Court; And that the further Consideration of the Account of building of the the¹ said Bridge be defer'd until the Vouchers thereof be produced, or y^e said Accompt be return'd examined & allowed by the Governm^t of Rhoad Island, Neither of which are yet done. [*Passed December 9.*]

Legislative
Records of the
Council, x., 22.

CHAPTER 134.

RESOLVE ALLOWING £6 TO ROGER BILLING FOR A BLIND INDIAN.

UPON READING the Petition of Roger Billing of Dorchester Jonathan Gulliver of Milton & John Billing of Dorchester aforesaid in Behalf of a blind Indian Man called Thomas Oncuncanog aged above sixty Years, Residing at the Dwelling House of Roger Billing aforesaid, Importing, that the said Indian was born in Brantrey, & has liv'd the greatest part of his time in & about it, And since Philips War has been a faithful Soldier in the Country Service under twelve several Captains, And particularly under Cpt Robinson as they were guarding the Mast Cutters at the Eastward in felling of Masts for his Majestys Service, A Chip from one of the Trees flew into one of his Eyes which soon occasion'd the Loss thereof, By Reason of which Accident he soon lost the other, So y^t since the twenty fourth of March 1714 he has been entirely blind, & thereby render'd incapable of providing any subsistence for himself & in a very miserable & destitute Condition; Humbly Praying, That the Gener^{ll} Court will please to take his case into their Consideration & grant some annual Allowance to preserve him from perishing.

Resolved that the sum of six Pounds be allowed & paid out of the publick Treasury to Roger Billing the Petitioner to be laid out by him

Legislative
Records of the
Council, x., 23.

in the best manner he can for the necessary Relief & Supply of the blind Indian in whose Behalf the Petition is made. [*Passed December 10.*]

CHAPTER 135.

ORDER RECOMMENDING JN^o TAPPIN TO SALISBURY FOR RELIEF FROM TAXES.

Legislative
Records of the
Council, x., 23.

UPON READING the Petition of John Tappin of Salisbury, Importing that he has been formerly a Soldier under the Command of Captain Lothrop in the Country Service at Deerfield he had the Misfortune in an Engagement with the Indian Enemy to receive a Wound in his right Shoulder, Whereby he was & still is rendered unable to work. That both he & his Wife are aged & infirm, & under great Difficulties to support himself & Family, That by living near the Province Line he is greatly oppress'd by being not only rated in Hampton, but in Salisbury also, That he has often made Application for an Abatement in Consideration of his Wound in the Service, but that the Assessors have no Regard to his Request; Humbly Praying that the General Court will be pleased to take his Case & Service into Consideration, & free him for the future from all publick Taxes & Rates while he continues in this Province

Ordered that the Petitioner be recommended to the Town of Salisbury for Relief. [*Passed December 10.*]

CHAPTER 136.

ORDER GRANTING, IN PART, THE PETITION OF SAM^l SEWALL JOHN LEVERETT &^t ABOUT M^{rs} HOPKINS'S LEGACY, AND ESTABLISHING A TOWNSHIP CALL'D HOPKINTON.

Legislative
Records of the
Council, x., 25.

UPON READING the Petition of Samuel Sewall John Leverett & Thomas Fitch Esq^{rs} & Daniel Oliver Merch^t a Committee appointed by the Trustees of the Legacy of the Hon^{ble} Edward Hopkins Esq^r Dec'd, Importing, that whereas they were appointed to purchase a Tract of Land call'd Moguncoy & having by the Allowance & Approbation of the General Court made & perfected the Purchase of the said Land in the name & in Behalf of the Trustees of the Legacy aforesaid according to the Decree in Chancery to the good Advantage & universal Satisfaction of the Indians late Proprietors of the said Land, And that the said Trustees are desirous to settle a Plantation upon the Purchase they have made & to erect a Town or Village by the Name of Hopkinton, to the perpetuating the Memory of the pious Benefactor, But that upon the Survey of the said Land, they find the same scanty & too streight, And that they are informed & assured there lies a Quantity of Country Land adjoining to the said Purchase neither sufficient by it self to make a Plantation or so much as a Village, nor as yet assign'd to any Township, nor needed by any of the neighbouring Towns on which it borders, nor desired by any of them, & may be a very accomodable Enlargment unto the Purchase they have made for the pious Intentions of the aforesaid Benefactor, Humbly Praying that the said Tract of Land lying between Sutton & the said Purchase not appropriated may be granted to the said Trustees, And that the whole Tract may be incorporated with the said Purchase into a Township by the Name of Hopkinton

Ordered that the Prayer of y^e Petition be so far granted, That the Lands petitioned for together with the Plantation & Purchase of Moguncoy be erected into a Township to bear the Name of Hopkinton & have & exercise the Powers & Privileges of a Town; And that the Fee & Property of the Lands petitioned for do still remain in the Province. [*Passed December 13.*]

CHAPTER 137.

RESOLVE ALLOWING £90 TO JAMES TAYLOUR.

UPON READING the Petition of James Taylour late Treasurer of the Province of the Massachusetts Bay, Importing, That for One & Twenty Years past he had the honour to serve this Province as Treasurer & zealously sought the Good of it, As well as faithfully discharg'd the Trust committed, And that during that time he did with all readiness upon every exigent or necessitous Occasion advance his own Money for the publick Service without any Allowance for it, That it so unfortunately happened in the last year of his Service, That a Robbery was committed upon the Treasury, And the Sum of Eighty eight Pounds thirteen shillings & four pence was stolen thence & carryed away, That the Person or Persons that stole the same are not yet discovered, tho' all proper means have been used, that he has accounted for the said Sum of Eighty Eight Pounds thirteen shillings & four pence with the present Treasurer & paid the same: Humbly Praying that the General Court will please to take the Premisses into Consideration & Order the s^d Sum of Eighty eight Pounds thirteen shillings & four pence to be repaid him out of the publick Treasury; that so he may not sustain y^e Loss of it

Legislative
Records of the
Council, x., 26.

Resolved that the Sum of Ninety Pounds be allowed & paid out of the publick Treasury to the said M^r James Taylour. [*Passed December 14.*]

CHAPTER 138.

RESOLVE ALLOWING £3. 2 TO HUMPHRY BRADSTREET.

UPON READING a Petition of Humphry Bradstreet of Newbury in y^e County of Essex, Physician, Importing, that Ebenezer Davis was a Soldier in her late Majestys Service at Haverhil under the Command of Coll Richard Saltonstall in the Year 1709, And was taken ill in the Service, & put under his Care, And that he expended Sundries amounting to the Sum of One Pound & seven shillings, That one Henry Flood under the command of the said Colo Saltonstall, who was likewise put under his Care, & he expended upon him One Pound fifteen shillings, as appears by the several Accompts sign'd by the said Col^o Saltonstall, That Nicholas Davison of Newbury who was wounded upon the Expedition to Port Royal in the Year 1709. And was by the late Governour Dudley put under his Care, Which was done both with great Difficulty & Expence; And that there remains due to him Ten Pounds & five shillings, Humbly Praying that the General Court will Order payment of the same

Legislative
Records of the
Council, x., 28.

Resolved that the Sum of Three Pounds & two shillings be allowed & paid out of the publick Treasury to Humphry Bradstreet in full of the Petition; C^p^t Nicholas Davison not being in the Service of this Province when he receiv'd his Wound. [*Passed December 15.*]

CHAPTER 139.

ORDER APPOINTING A COMMITTEE TO RUN THE LINE BETWEEN THIS PROVINCE & NEW HAMPSHIRE.

Legislative
Records of the
Council, x., 29.

IN THE HOUSE OF REPRESENT^{ves} Upon a Motion being made in the House & a Letter receiv'd from the Hon^{ble} the Leivtenant Governour & Council of the Province of New Hampshire, That the Partition Line may be run between this Province & that to ascertain the Inhabitants bordering thereon where to pay their Taxes, & to prevent further Differences,

Ordered that Col^o Samuel Appleton Col^o Thomas Noyes & Cp^t John Gardner be a Committee on Behalf of this Province fully impowered to meet & join with such Persons as shall be appointed and fully impowered by the General Court of the said Province of New Hampshire finally to settle & determine the Course & Running of the Line, Pursuant to the Directions of the Royal Charter of this Province, And make Report to y^e Court. The Property of the Lands that have been improved or laid out to any Persons near the said Line to continue & remain to them as now it is, on which side soever of the Line they shall happen to fall. And his Honour the Leiv^t Governour is requested to furnish them with Powers necessary to proceed in the Affair, pursuant to this Vote

In Council; Read & Concur'd, And John Higginson Esq^r added to the Committee in the Affair. Any three of which to be a Quorum. [*Passed December 15.*¹]

CHAPTER 140.

ORDER UPON MARBLEHEAD PETITION.

Legislative
Records of the
Council, x., 29.

IN ANSWER to the Petition of John Legg & Edward Brattle Esq^{rs} & several others Inhabitants of the Town of Marblehead

Legislative
Records of the
Council, x., 21.

Ordered that so long as the Auditory of the New Meeting House, Wh^h the Reverend M^r Edward Holyoke now preaches in, shall maintain a learned & orthodox Minister there they shall be discharg'd from Paying towards the Maintenance of any other Minister, Excepting their Proportion towards the Maintenance of the Rev^d M^r Samuel Cheever during his natural Life. [*Passed December 15.*]

CHAPTER 141.

VOTE UPON PETITION OF RICHARD COOMES &^o IN REGARD TO AN EQUITY OF REDEMPTION.

Legislative
Records of the
Council, x., 30.

UPON READING the Petition of Richard Coomes & Hephshibah his Wife Dangler & only Child of Joseph Newell late of Roxbury Mariner Dec'd Importing that the said Joseph Newell in the Year 1691, mortgaged his Estate in Roxbury to Florence Mac-carty late of Boston Butcher Dec'd for the Sum of Twelve Pounds, Conditioned to pay the Sum of Sixteen Pounds & sixteen shillings within the Space of four

¹ It does not appear that the House of Representatives consented to the addition made by the Council; but the governor's consent is recorded.

Years, As appears of Record. Which is after the Rate of Ten Pounds p Cent p Annum, When the Land at the least Value is worth Three Hundred Pounds, And that he soon after it went to Sea & died, And that not long after the said Joseph Newell's Decease, the Petitioner Hephisbah was born, & the Mortgagee by Contrivance prevail'd with & over perswaded the Widow the Petitioner Hephisbahs Mother to sell & convey the Land by Deed to him, & took Possession of it accordingly before the four Years limited in the Deed of Mortgage was expired, & put his Deed on Record, & held his Possession untill the Petitioner Hephisbah came of Age, When she understood the illegal Proceedings in Conveying her Inheritance from her, That she had a Tryal at the Inferior Court held at Boston in April 1713, Where the said Florence Mac-Cartys Heirs produced their Deed of Sale & were east. After which Tryal the Mortgagee proved the said Mortgage, & enter'd it upon Record, when it had been hid for more than twenty Years before, And by Virtue thereof obtain d a Verdict upon his Appeal to the Superior Court, Whereupon the Petitioner review'd having first tender'd to the Heirs of the said Florence Mac-Carty more than sufficient to pay both the Principal & Interest Money in Current Silver Money, ready in the Court to have taken up the Mortgage, But it was said it was too late, And the Court would give no Releif in the Premisses, the Mortgager having made Default & the Mortgagee being in actual Possession thereof, & had Possession beyond the Time limited by Law, That Judgment was given against the Petitioners, Which is to their utter Ruine, And this not tho any Default, He being beyond Sea, impress'd & detained on board One of His Majesty's Ships of War in Barbadoes, In which Service he died before the time of Redemption was expired, Nor can it appear to be a Default in the Petitioner Hephisbah, She being an Infant, That notwithstanding the Mortgagee has been at no more charge than the Twelve Pounds, & a Yearly payment of five Pounds to the Mother of the said Mortgager which the Land stood charged, & some small charge of Fencing &c Humbly Praying the General Court to take the Premisses into Consideration, & allow y^m their just Right of Redemption

Voted that the Petitioners ought to have the Equity of Redemption. Inasmuch as the Mortgage made to Florence Maccarty by Joseph Newell father of the Petitioners was not recorded untill April the seventh 1714, By Reason whereof they were defeated of the Benefit of an Act entitled An Act for hearing & determining Cases in Equity made & pass'd the tenth of William the third &c And that they be empower'd to file a Bill for their Right or Equity of Redemption in the next Court or Courts of Law proper to hear the same. [*Passed December 16.*]

CHAPTER 142.

VOTE IN REGARD TO OFFICERS OF WATERTOWN

Voted that the Direction & Order of this Court Pass'd at their Session Octobr 1712,¹ for the Maintenance of the Ministry in the Town of Watertown be punctually observ'd & effectually executed without any farther Delay: And in as much as the Select Men, Assessors & other Town Officers in Combination with the Major Part of the Inhabitants at a Town meeting Janu 27. 1714 did in manifest Contempt of the Authority of this Governm^t Vote a Non-Compliance with this Order, & do to this day justify themselves in their open & vile Practice.

Legislative
Records of the
Council, x., 19,
31.

¹ *Ante*, p. 264. See also pp. 254, 279.

Be it therefore

Resolved that the Select Men & Assessors shall forfeit & pay the Sum of Fifty Pounds, Unless the Money which is or ought to have been collected be appropriated to the Uses therein mention'd, on or before the tenth day of January next, And the Sum of Twenty Pounds per Month till the same be accomplish'd & they discharged by each of the Ministers, to be recovered by Bill Plaint or Informations in any Courts. [*Passed December 17.*]

CHAPTER 143.

VOTE ACCEPTING PROPOSALS OF YE TRUSTEES OF THE £50,000 LOAN.

Legislative
Records of the
Council, x., 31.

THE FOLLOWING PROPOSALS [being] humbly offered by the Subscribers Trustees for the Fifty Thousand Pounds, Viz^t First, That for the receiving in the Bill[s] of Credit now on Loan to several Persons by Vertue of an Act of the said Province made in the first Year of his present Majestys Reign the Persons hereafter named to receive in the said Bills be directed & impowered upon the Receipt of the Annual Interest or any part of the Principal, as the same becomes due by Vertue of the said Act, and the Mortgages given thereon to endorse on the Original Deed of Mortgage the Receipt thereof, And when the whole both Principal & Interest is paid, Then to give a Receipt for the same on the said Deed, to be signed by three at least of the Trustees named in the said Act or their Successors And the Deed shall be delivered to the Person who pays the said Bills, W^h Receipt being entered in the Margin of the Book of Registry where the said Deed is recorded shall fully discharge the Premises therein mentioned from any other Claim & Demand whatsoever, & render the said Deed null & void, Any Law Custom or Usage to the contrary notwithstanding: Secondly, That when at any time the said Trustees shall have receiv'd the Sum of One Thousand Pounds of the said Bills, either Principal or Interest, The Treasurer of the Province for the time being be directed & impowered to take in the same from them, & to pass his Receipt, W^h shall be a full discharge to the said Trustees, And the Bills so receiv'd by him to be burned to be burned¹ to Ashes at the first Oppertunity by the Committee appointed or that shall be appointed by this Court for the Burning unservicable Bills: Thirdly, That the said Trustees do meet on every Wednesday Weekly in one of the Rooms of the Court House in Boston, there to give their Attendance from ten to twelve o Clock in the Forenoon, & from three to five in the Afternoon, to receive in the Bills from Persons coming to pay the same; Fourthly that the Trustees for their Service be allowed to pay themselves One ~~p~~ Cent on all the Bills by them hereafter to be receiv'd on the Accompt of the Principle, And to be accountable to this Court yearly, if demanded for their Transactions in this Affair

Sign'd	ANDREW BELCHER	JOHN WHITE
	ADDIN: DAVINPORT	EDW ^d HUTCHINSON
	THOMAS HUTCHINSON	

Voted That the foregoing Proposals be Accepted, & put into Practice as they now stand amended. [*Passed December 17.*]

¹ *Sic.*

CHAPTER 144.

VOTE IMPOWERING TREASURERS TO PURCHASE M^R SERGEANTS HOUSE.

Voted That the Treasurer of this Province, the Treasurer of the County of Suffolk, & the Treasurer of the Town of Boston be a Committee or Trustees to purchase the House & Land in Boston aforesaid late Power Sergeants Esq^r Dec'd for the Use of this Province, And that the said Treasurers & their Successors for the Time being have Power of fitting & repairing the same when wanting, Agreeable to such Orders, as they shall from Time to Time receive from this Court. And that the Province Treasurer do emitt & pay the Sum of Two Thousand three hundred Pounds for purchasing the same, That the said House & Land be a fund & Security for drawing in the said Bills into the Treasury again for the Space of twenty one Years, That at the Expiration of y^e said Term, It shall be sold for that end by the said Trustees or their Successors. Unless this Court shall then see cause to order otherwise.
[*Passed December 17.*]

Legislative
Records of the
Council, x., 32.

CHAPTER 145.

VOTE REFERRING TO THE NEXT SESSION THE PETITION OF ISAAC WOONOO & JOSEPH SHAUNTON AGENTS OF KETTECUTT, TO BE CONTINUED IN BRISTOL COUNTY.

UPON READING the petition of Isaac Woono & Joshua Shantom Indians, Agents on the behalf of Keticut an ancient Indian Town or plantation always inhabited by Indians, w^{ch} lieth between Taunton, Middleborough & Bridgewater & have had the Gospel preached to them by an English Minister many years at times, but constantly by an Indian Minister, importing That their English Neighbours of Bridgewater did some years past disturb them by laying Claim to their Town or a considerable part thereof under pretence of some Grant or purchase, whereupon there was Application made to the Great & General Court in the Year 1703, upon which the Court was pleased to order a Com^{tee} to meet at Barnstable to consider of the matter. That the said Woono was at the said Meeting, but for want of Copies of some Records & a true Understanding of the English Laws the Com^{tee} drew up a Report not much in their favour, upon which M^r Mitchel of Bridgewater takes Advantage thereby to claim the best part of our said Indian Town, & gives us Trouble at Law, which they suppose to be contrary to the Intent of the Gen^l Court when they accepted the Report of the said Com^{tee} w^{ch} could be no other wise than that Bridgewater should have the full Extent of their Grant which was six Miles South of Setuckit which is their Center to Ketuckit River, which plainly appears by the Bridgewater Grant, by w^{ch} the Indians Lands were reserved to them w^{ch} was likewise done in Taunton Grant long before. That the s^d M^r Mitchel does prosecute them at Law for the greatest part of their Town, & that he by a Petition to the General Court got the Bounds of Plimouth & Bristol Counties unsettled for no other Reason but to prosecute us at Law, That the Gen^l Court was pleased so far to favour him as to appoint a Com^{tee} to go & examine into that Affair. Humbly praying that they may be continued in Bristol County from whence they have their English Minister, & that the Gen^l Court will

Legislative
Records of the
Council, x., 32.
Mass.
Archives,
xxi., 91.

be pleased to take their Case into Consideration, & not suffer them & their families to be utterly ruined by depriving them of their Lands &c. refer'd to the first Fryday of the next Sessions. [*Passed December 17.*]

CHAPTER 146.

ORDER CONFIRMING A PLATT OF 6,000 ACRES TO BRAINTREY ON MEM^o OF EDMUND QUINCEY ESQ^r.

Legislative
Records of the
Council, x., 33.
Maps and
Plans, iv., 27.

UPON READING the Memorial of Edmund Quincey Esq^r for & in Behalf of the Town of Brantrey, Importing, That the General Court at their Sessions held in May 1714, in Answer to a Petition prefer'd by the Memorialist in Behalf of said Town, Praying that a Surveyour might be appointed to protract & lay out Six thousand Acres of Land granted by the General Court October 1666 to the Inhabitants of Brantrey limited to one Place, Not prejudicing any Plantation or particular Grant &c

Ordered that the Prayer of the Petition be granted, And M^r Sam^l Jones Jun^r of Concord (being propos'd by the Memorialist) was appointed to survey & lay out the said Grant, Provided the Land be taken up in Middlesex County, If in the County of Suffolk John Chandler Esq^r was to be Surveyour, As best knowing in their own Counties, The Plat when taken to be presented to the Court for Confirmation, As by the Records will more plainly appear, That for as much as the said Samuel Jones thô requested, neglected & delayed to attend the Service aforesaid, And it being uncertain whither¹ the said Land lies in the County of Hampshire or Middlesex, So that the same not being to be found in the County of Suffolk, the Memorialist did not apply himself to John Chandler Esq^r but prevail'd with M^r William Ward of Marlborough Surveyour, to survey & lay out the said Six thousand Acres of Land, who being upon Oath with the Help & Assistance of Daniel Livermore & Gershom Ward Chain Men (who were also sworn before M^r Justice How) laid out the same in the Angle between the Towns of Brookfield & Rutland, As plainly appears by the Plat thereof now presented; Humbly Praying that for the Considerations aforesaid the General Court will please to ratifie & Confirm to the Town of Braintree the said Six thousand Acres of Land according as it is protracted & laid out by the said William Ward in & by the Plat now presented for Confirmation, It no way prejudicing any Plantation or particular Grant, As the Memorialist is credibly informed:

Brantrey Six thousand Acres of Land lying in the Angle between Brookfield & Rutland is thus describ'd in the Platt: viz^t

A a Pine Tree being Brookfield Corner. B a heap of Stones

G a Point, Surveyed by William Ward

Ordered That the Plat on the other Side be Accepted, and the Land therein Described be Confirmed to the Town of Braintree, in fullfillment of a Grant of Six Thousand Acres, made to them by the General Court y^e 11th Octo^r 1666. Provided It Interfere with no former Grant, And That this Court Annex the s^d Land to Such Town as they Shall think proper hereafter. [*Passed December 17.*]

¹ *Sic.*

CHAPTER 147.

ORDER GRANTING THE PETITION OF INHABITANTS OF BLEW HILLS
IN DORCHESTER TO BE SET OFF AS A NEW PRECINCT.

UPON READING a Petition of the Inhabitants of the Westerly Part of the Blew Hills within the Town of Dorchester, commonly call'd the New Grant, Importing, That they live very remote from any Place of Publick Worship, The nearest being about six miles distant from Dorchester Dedham & Milton, Were upon that account very uneasy & Petitioned y^e Town of Dorchester that they might be sett off a precinct by themselves, Whereupon at a Meeting of the Town of Dorchester, on the twelfth Day of May 1707, they did by a Vote manifest their Consent thereto, And that the Petitioners should be impowered to agree with & settle an Able Minister among themselves, & to raise a Tax to defray the Charges of Building their Meeting House, & Maintenance of their Minister &c And chose a Committee, who with the Petitioners on the tenth Day of June following agreed upon the Place where the Meeting House should stand & now stands, & what should be the Bounds & Limits of their Precinct, As by the Committees return may appear, And moreover the Town of Dorchester gave the Petitioners about thirty Pounds towards Building their Meeting House, That upon this Encouragment the Petitioners sett about building their Meeting House, And in May 1708 petitioned the General Court for Confirmation of what was done, & to impower them to do such other Acts as might be agreeable to the Laws &c Which pass'd in the House of Representatives But was Non-Concur'd in Council. That they have improv'd the Rev'd M^r Joseph Morse as their Minister for above these eight Years, but not ordain'd, Nor the Petitioners enabled to levy a Tax for his Support, Which lays them under very great Inconveniences for want of the Gospel, & as to the Ministers Support, Which falls heavy upon some while others refuse to pay any thing at all, Humbly Praying that the General Court will please to Confirm the said Town Vote & the Doings of the Committee thereupon, And that they may be a distinct Precinct & Impower'd to choose fit Persons among themselves to asses & Levy a Tax for the Support of their Minister & Defraying other Charges, & to do such other Acts as may be agreeable to the Laws, &c

Legislative
Records of the
Council, x., 34.Legislative
Records of the
Council, viii.,
370.

Ordered that the Prayer of this Petition be granted so far, That a new Precinct be constituted & sett off with all the necessary Powers & Prævileges used & exercised by Precincts for the Maintenance of the Gospel Ministry agreeable to the Limits & Conditions express'd in the Report of the Committee appointed by the Town of Dorchester for that End, & which is signed by Samuel Clap Samu^l Topliffee & Samuel Wales. [*Passed December 19.*]

CHAPTER 148.

RESOLVE ALLOWING £200 TO W^M TAILER ESQ^R LIEV GOV^R.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the publick Treasury to his Honour William Tailer Esq^r Lieutenant Governour & Commander in Chief of this his Majestys Province for his Support in Managing the Affairs of the Governm^t. [*Passed December 20.*]

Legislative
Records of the
Council, x., 35.

CHAPTER 149.

RESOLVE ALLOWING £500 FOR LIGHT HOUSE.

Legislative
Records of the
Council, x., 35.

Resolved that the Sum of Five Hundred Pounds be allowed & paid out of the publick Treasury to the Committee appointed by this Court to build a Light House on Beacon Island at the Entrance of the Harbour of Boston, for the carrying on of that Work, To be accounted for to this Court. [*Passed December 20.*]

CHAPTER 150.

RESOLVE ALLOWING £30 TO M^R JOHN WHITE.

Legislative
Records of the
Council, x., 35.

Resolved that the sum of Thirty Pounds be allowed & paid out of the publick Treasury to John White Clerk of this House for his Service in the Year Currant. [*Passed December 20.*]

CHAPTER 151.

RESOLVE ALLOWING £20 TO JOHN FLAG DOOR-KEEPER.

Legislative
Records of the
Council, x., 36.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to John Flagg Door-keeper to his Honour the Leiv^t Governour & this Court for his Service half a Year ending the 26 Day of December Instant. [*Passed December 20.*]

CHAPTER 152.

ORDER COMMITTING THE OVERSIGHT OF Y^E LIGHT HOUSE TO W^M PAYNE & L^T TUTHIL.

Legislative
Records of the
Council, x., 36.

THE GENTLEMEN appointed by this Court a Committee to take Care for the Building of a Light House &c not having Leisure to attend that Work;

Ordered that the Oversight of that Work be committed to M^r William Payne & M^r Zechariah Tuthill to carry on & finish the same agreeable to the Advice & Direction they shall from time to time receive from the said Committee, And that Sixty Pounds be allowed to them for the whole of y^t Service, When it shall be compleated. [*Passed December 20.*]

CHAPTER 153.

ORDER FOR A HEARING ON RICH^D CAR'S PETITION AB^T A FERRY OVER MERRIMACK RIVER.

Legislative
Records of the
Council, x., 36.

UPON READING the Petition of Richard Car of Salisbury in the County of Essex Mariner, Importing, That about the Year 1687, The then Gov-

ernour & Council were pleas'd to grant Liberty to Liev Col^l March to keep a new Ferry over the lower Part of Merrimack River between Newbury & Salisbury, During their Pleasure, W^h Ferry has been since continued & of late Settled by the Quarter Sessions of the said County upon the Towns of Newbury & Salisbury, both which are in Præjudice of a Grant formerly made by the General Court to M^r George Car the Petitioners Father, And have been & now are very injurious to his Heirs, And humbly Prays that Justice may be done him. To which End he offers the following Particulars; Viz^t That there was by Order of the General Court, a Covenant made between the Court of Salisbury & M^r John¹ Car the Petitioners Father, about building a Float Bridge over Merrimack River &c And Confirm'd by the General Court Anno 1650 & 1660, & therein an ancient² Grant of the whole Ferry or Ferrys between Newbury & Salisbury was conditionally made to the said Car & his Heirs; Y^t the Covenant on the said Cars Part was fulfilled to the Satisfaction of all, As appears not only on Record, But also in that there was never any Objection made ggainst² him, nor can there be justly at this time, That in fulfilling this Covenant the said Car was at more than Three Hundred Pounds expence in first Building the Bridge & other Accommodations for the Ferry, And that in the Settlement of the said Car's Estate, This Grant & Privilege was apportioned & apprais'd to his Heirs James & Richard (the Petitioner) at near Four hundred Pounds; That the Granting or Settling a Ferry between Newbury & Salisbury or any others was a Breach of Covenant on the Countreys Part, & contrary to the Intention & Meaning of the Covenanters on both Sides, & a manifest Illusion to said Car & his Heirs; That the said Car would not have been at so great a Charge, had he thought that a Ferry but a little below him would have ever been Granted to any other, Which would spoil both the Custom & Profit of that which was attended with so great a Charge, as it hitherto hath been, almost to the undoing of us to whose Lot this Part of our Fathers Estate fell, Who for being kept out of our Right are damnified at least Fifty & Sixty Pounds a Year, That it cannot be supposed the General Court made any Reservation to the Contrary, but that the true Intent & Meaning of their Grant, & Covenant was the said Car & his Heirs should have the sole Benefit of Ferry or Ferrys between the two Towns aforesaid, W^h is evident, in that the other Ferry below was put down as soon as the Bridge was finished, And that when another Ferry was thought needful some Miles above the Ferry, The General Court judged it just to give the said Car the Offer & Grant of it Anno 1669 And at the same time declared it was needful so to do to make good their ancient Covenant, with him, And that if any other Ferrys should be thought useful for the Countrey within the aforesaid Limits, the s^d Car should have the Refusal of Keeping them, That when the lower Ferry aforesaid was first sett up, The Offer of it was never made to M^r Car's proper Heirs of that Right, Neither had they both the Refusal of it, That what ever was proposed to the Peti[t]ioner about it was not refuted, That he only objected against some Proposals, which he supposed he had just Reason for. As being contrary to the ancient Grant & Covenant, That the first Grant or Permit to keep the lower Ferry aforesaid to Coll. March was only during Pleasure, That it can be no Prejudice or Detriment to the Countrey nor any Person whatsoever, Now to grant & settle it on them to whom it of Right belongs; That the late Settlement by the Sessions of a Ferry at the same Place upon the two Towns aforesaid was done without the least Offer to either of y^e Heirs or the said Car or Giving them any opportunity of

Records of
Mass., v., 323.
Records of the
Court of As-
sistants, March
26, 1686—March
1, 1691½, p. 269.
Mass.
Archives,
cxci., 60.

¹ "George" in State Library copy, Legislative Records of the Council, x., 41, and in Records of Mass., v., 323.

² *Sic.*

Setting forth their Right or Speaking for themselves, & contrary to the Grant & Covenant according to which the Ferry was not to be kept by Newbury & Salisbury till the aforesaid Bridge fell down, And then no longer to continue so, but till it should be rebuilt by the said Car or his Heirs; That it is of Necessity that that Ferry should be kept up, where & for which the Bridge was built for the publick Benefit of the Countrey, Because it is impossible to keep or pass the lower Ferry at all Times, & very hazardous for a great Part of the Winter, thò it may be convenient in the Summer; when it draw[s] away all the Custom & Profit of the old ferry; That the Petitioner supposes it just & reasonable, that he who keeps up the old Ferry of necessity for the publick Good sh^d have the Benefit & Profit of the new Ferry, W^h is only for the Conveniency of some Persons & at some times, to support & maintain at an extraordinary Charge y^t which is kept of necessity, That he humbly offers these Considerations to the General Court, Humbly Praying that the aforesaid Ferry over the lower part of Merrimack River, may be either wholly put down, or settled according to the aforesaid Grant & Covenant with the said Car & his Heirs, Or that the Refusal of keeping the same, at the same price at which it is now kept may be given to the Petitioner

Ordered that the Petitioner serve the Towns of Newbury & Salisbury with a Copy of this Petition, That they be heard thereupon before this Court, upon the second Wednesday of the Session of this Court in May next, If they have any thing to object, why the Prayer thereof should not be granted. [*Passed December 20.*]

CHAPTER 154.

ORDER APPOINTING A COMMITTEE ON THE PETITION OF Y^E INHABITANTS OF HATFIELD COMPLAINING OF ENCROACHMENTS BY HADLEY.

Legislative
Records of the
Council, x., 38.

UPON READING a Petition of several of the Inhabitants of Hatfield Importing, That they have humbly offered a Petition to the General Court for Relief from the Grievances they lye under from the Impositions of their Neighbours of Hadley upon them, which Petition is still depending, That they are inform'd that some of the General Court are of Opinion, That thò there may be reason to release the said Town of the Burthen complain'd of, Yet the Altering the Bounds of Townships may prove matter of future Inconvenience, That they now renew their Petition, Setting forth the Hardships they ly under in Paying their Proportion of Taxes to the Township of Hadley, not only for the Province but the Ministry also, & all Town Charges, tho they partake of no Town Priveleges, That they are of the same Opinion with their Neighbours, that all their Lands on the West side of the River may be assigned to pay their Proportion of all Town Charges to & with the Township of Hatfield for ever, Althò their dues thereupon will be greater than that¹ present to Hadley, their accommodations being double in Value, If the Lands petitioned for be annex'd to them, Inasmuch as they enjoy the Ministry & all Town Priveleges in Common they think it reasonable to be at an equal Expence with them in supporting them, Praying humbly Relief

Ordered that John Pynchion Esq^r M^r Luke Hitchcock M^r John Ashley be a Committee to whom this Petition is refer'd, to consider the subject matters & Allegations, And make Report what they think proper to be done thereon at the Session of y^s Court in May next. [*Passed December 21.*]

¹ *Sic*, for "at."

CHAPTER 155.

VOTE ACCEPTING THE REPORT OF Y^E COM^{TEE} UPON SUDBURY MEETING HOUSE.

IN OBEDIENCE to the Order of the Great & General Court or Assembly, We the within named Committee have been at Sudbury, & have view'd the several Places shown to us by the Inhabitants on the West Side of the River for Setting up a new Meeting House & are of Opinion that a Place called Poplar Swamp Gutter on the West Side of the s^d Gutter & on the North Side of Lancaster Road between the s^d Gutter & Heart Pond is the most convenient Place for Erecting the said Meeting House We have also heard the Inhabitants on both Sides the River referring to the way of Supporting the Ministry; The Inhabitants on the East Side are willing to give one Half of the Land in Sudbury to make the West Precinct, & so each maintain their own Minister, Which the Inhabitants on the West Side of the River do refuse, & instead thereof propose to build a Meeting House at their own Charge & settle a Minister, And that the Ministry on both Sides the River be supported equally by the whole Town: The said Committee do also report that there is a new School House erected on the West Side just by the River, Which may accommodate at present the whole Town, All which is humbly submitted: (Signed) PENN TOWNSEND, in the Name
 Boston December 8. 1715 of y^e Committee

Legislative
Records of the
Council, x., 39.

In Council; Read & Accepted as to the Place for Erecting the new Meeting House, And that the Inhabitants do in common maintain & pay both their Ministers

In the House of Represent^{ves} Read & Concur'd. [*Passed December 21.*]

CHAPTER 156.

RESOLVE DIRECTING THE TREASURER TO EMIT £4,000 IN BILLS OF CREDIT.

Resolved that the Treasurer be and hereby is Directed & Impowered to issue forth & Emit the Sum of Four Thousand Pounds of the Bills of publick Credit on this Province that are or shall be receiv'd into the Treasury for Payment of the publick Debts of the Province for the Defence & Support of the Governm^t & the necessary Protection & Preservation of the Inhabitants of this Province, And for the Subsisting of Forts or Garrisons & Wages arising for their Service, And for Payment of Grants Salaries & Allowances made & to be made by this Court, According to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour or Commander in Chief for the time being by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein express'd equivalent to Money, And shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent more

Legislative
Records of the
Council, x., 40.

Province
Laws, ii., 35.

And as a Fund & Security for the same, there be, & hereby is granted unto his more Excellent Majesty to the Ends & Uses aforesaid, a Tax of Four Thousand Pounds to be levied upon Polls & Estates both Real and Personal in this Province, according to such Rules & in such Proportions on the several Towns & Districts within the same, As shall

be agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May Anno 1719; & paid into the Treasury on or before the last Day of December next after. [*Passed December 21.*]

CHAPTER 157.

RESOLVE ALLOWING JOSEPH JENK'S ACC^o OF Y^e CHARGE OF BUILDING PAUTUCKET BRIDGE, VIZ., £51. 17. 5½.

Legislative
Records of the
Council, x., 40.

UPON READING an Accompt presented by Joseph Jenks, Amounting to Two hundred twenty three Pounds fourteen shillings & eleven pence being the Expence of building a Bridge over Pautucket River

Resolved that the Sum of Fifty one Pounds seventeen Shillings & five pence half penny be further allowed & paid out of the publick Treasury to Joseph Jenks y^e Accomptant, which with Sixty Pounds already paid by this Province is one half of this Accompt, & is in full of what this Province pays to the building of the said Bridge. [*Passed December 21.*]

CHAPTER 158.

ORDER ACCEPTING THE ACCOUNT OF THE TRUSTEES OF Y^e £50,000 LOAN.

Legislative
Records of the
Council, x., 40.

AN ACC^o being presented by Andrew Belcher Esq^r Addin: Davinport Esq^r Thomas Hutchinson Edward Hutchinson Esq^r & M^r John White the Trustees for the Fifty Thousand Pounds Loan, of all their Proceedings therein:

Ordered that it be accepted, & the Service of the Trustees be approv'd so far as they have proceeded in the Affair. [*Passed December 21.*]

CHAPTER 159.

ORDER ON JOHN NELSONS PETITION FOR A NEW TRIAL.

Legislative
Records of the
Council, x., 40.
Mass.
Archives, cv.,
72.

IN ANSWER to the Petition of John Nelson Esq^r sett forth at large in [Mass. Archives, cv., 70].¹

Ordered That the Action be heard at the next Inferiour Court of common Pleas to be held for the County of Suffolk as to the merit of the Cause upon the former Writ The Petitioner giving Security in One Thousand Pounds with a sufficient Bondsman to abide the Order of the Court in the common Form and serving the Plaintiffs with a Copy of this Order seven dayes before the said Courts sitting And that the Execution upon the Judgement by default be staid until this Tryal be over and then to be utterly void. [*Passed December 21.*]

Mass.
Archives, cv.,
70.

¹ See also *ante*, p. 424, chap. 104.

CHAPTER 160.

ORDER FOR A HEARING ON RICHARD CARR'S PETITION COMPLAINING OF A JUDGMENT AND PRAYING FOR A NEW TRIAL.

UPON READING a Petition of Richard Car of Salisbury Mariner Importing, that at his Majestys Superiour Court of Judicature holden at Ipswich for the County of Essex the third Tuesday of May 1712, he had an Action depending there by Appeal from a Judgment of an Inferior Court of Common Pleas held at Salem in June before against the Executors of Coll John Wainright Dec'd for One Hundred & thirty seven Pounds seventeen shillings, But he mistaking the time of the Court appealed from, Calling it the third Tuesday of May, when it ought to have been the last Tuesday of June, The Court quash'd his Reasons, so that now he cannot proceed in the Law without an Order of the General Court; Humbly Praying that he may be enabled to amend his Reasons, And that giving due Notice to the adverse Party his Cause may be tried at the next Superiour Court at Ipswich in May next, That he may not be ruined for so small a Mistake.

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition; that they may be heard before y^e Court on Wednesday the twenty first Currant at ten o Clock in the forenoon, If they have any thing to alledge, Why the Prayer of this Petition should not be granted. [*Passed December 21.*]

Legislative
Records of the
Council, x., 41.

CHAPTER 161.

ORDER FOR A HEARING ON THE PETITION OF CORD WING OF BOSTON SHIPWRIGHT COMPLAINING OF A JUDGMENT.

UPON READING the Petition of Cord Wing Ship wright Son of Cpt John Wing of Boston Mariner Dec^d Importing, That at the Inferiour Court held at Boston in January 1711 Sarah Tomlin as Executrix to the Will of her former Husband John Street Dec^d And as Administratrix to the Estate of her late Husband Thomas Tomlin Dec^d Intestate recovered two Judgments. And again at the Superiour Court held at Boston in May 1712, as Executrix aforesaid obtain'd a third Judgment, all against the Estate of the said Cpt John Wing Dec^d The several Sums by her recover'd including Costs of Suit amounting in the whole to the Sum of One hundred forty six Pounds or thereabouts, That three several Executions issued out upon the said Judgments in the Months of December 1712, That on the twenty fifth Day of the said Month the Sheriff of Middlesex levied the same upon a Parcell of Upland & Meadow lying in the Township of Worcester shewn by the said Sarah Tomlin to be the Estate of the said Cpt John Wing Dec'd Which Land with all the Estate which he died seiz'd of in Worcester aforesaid was appraiz'd at the Sum of One hundred & fifty two Pounds, seventeen penny half penny weight And being reckon'd just enough to satisfie the said Executions & Charges thereupon The said Sarah Tomlin accepted the same in Satisfaction thereof accordingly & paid the Sheriff his Fees; That he has reason to think that neither the Sheriff himself nor the Apprizers knew of all the Estate, which the s^d Cpt John Wing died seiz'd off in the Town of Worcester (altho it be so express'd in the Apprizment in very ambiguous terms) for that really the Estate of the said Cpt John Wing in Worcester is

Legislative
Records of the
Council, x., 41.

worth at least Five hundred Pounds, That he has tendered her the aforesaid Sum of One hundred & fifty two Pounds with Interest thereof from the time that the said Executions were levied upon the said Estate, in order to free the same from the Incumbrance aforesaid; That the said Sarah Tomlin relying on the Sheriffs returns, & the Appraisers Doings as aforesaid, utterly refuses to accept the Sum offered her, & to release¹ & quit her Claim in the said Estate unjustly holding Possession thereof, That he is without Remedy in the Law without releif from the General Court, And must loose an Estate worth above Five hundred Pounds (which was appraiz'd by Men most certainly ignorant of the Quantity of Acres or the intrinsick Value thereof) at no more than One hundred & fifty two Pounds; That all the Estate of the said Cpt John Wing was given to him by his last Will & Testament; Humbly Praying that the General Court please to take the Premises into Consideration, That the said Estate may be confirm'd to him & his Heirs for Ever, Pursuant to his Fathers Will, upon his paying to the said Sarah Tomlin the principal Sums Which she recovered against his said Fathers Estate together with the Costs of Suit & Sheriffs Fees & other Charges with the Interest of the whole, For that the said Sarah Tomlin has been at no Expence to improve or increase the Value of the said Estate &c

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition that they may be heard before this Court on the second Fryday of the next Sessions, If she hath any thing to object why the Prayer thereof should not be granted. [*Passed December 21.*]

CHAPTER 162.

ORDER FOR A HEARING ON THE GOODHUE & CHOATS PETITION ABOUT THE MINISTRY IN IPSWICH.

Legislative
Records of the
Council, x., 42.

UPON READING the Petition of Nathaniel Goodhue & Thomas Choat, *Ordered* that the Petitioners serve the Town of Ipswich with a Copy of this Petition, that they may be heard before this Court on the second Fryday of the next Session, If they have any thing to object why the Prayer thereof should not be granted, And that in the mean time, The Persons & Estates about which there is a Controversy continue to pay to the Ministry as formerly. [*Passed December 21.*]

CHAPTER 163.

ORDER ON RICH^d CARR'S PETITION FOR A NEW TRYAL.

Legislative
Records of the
Council, x., 43.

UPON READING the Petition of Richard Car of Salisbury Mariner.² *Ordered* that the Prayer of this Petition be granted, And that the Petitioner serve the adverse Party with a Copy of this Order fourteen days at least before the Courts Sitting. [*Passed December 22.*]

¹ *Sic*, for "release."

² *Ante*, chap. 160, p. 453.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1716-17.

LEGISLATIVE LIST¹

FOR

1716-17.

THE HONORABLE WILLIAM TAILER, Esq., LIEUT. GOVERNOR.

[*Acting Governor until September 5, 1716.*]

HIS EXCELLENCY SAMUEL SHUTE,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

[*From October 6, 1716.*]

SAMUEL WOODWARD, Esq.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM TAILER
WAIT WINTHROP
ELISHA HUTCHINSON
SAMUEL SEWALL
PENN TOWNSEND
JOHN APPLETON
JOHN HIGGINSON
ANDREW BELCHER
EDWARD BROMFIELD

} ESQRS.

NATHANIEL NORDEN
THOMAS NOYES
BENJAMIN LYNDE
JOHN CLARK
ADDINGTON DAVINPORT
THOMAS HUTCHINSON
SAMUEL BROWN
JOHN PYNCHON
THOMAS FITCH

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

NATHANIEL BYFIELD
ISAAC WINSLOW

} ESQRS.

JOHN CUSHING
JOHN OTIS

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Maine;

ELIAKIM HUTCHINSON, JOHN WHEELRIGHT & ADAM WINTHROP, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

JOSEPH LYNDE, Esq.

¹ See Legislative Records of the Council, x., 47-49.

For the Province, at large:

NATHANIEL PAYNE & EDMUND QUINCEY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 30, 1716 to April 12, 1716–17.

MR. JOHN BURREL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . William Payne, Esq.,
 Oliver Noyes, Esq.,
 Elisha Cook, Esq.,
 Anthony Stoddard, Esq.
Roxbury, . . . Mr. William Denison.
Dorchester, . . . Mr. Hopestil Clap.
Milton, . . . Mr. Ephraim Tucker.
Brantree, . . . Capt. John Mills.
Weymouth, . . . Capt. John Hunt.
Hingham, . . . Samuel Thaxter, Esq.
Medfield, . . . Mr. John Fisher.
Mendon, . . . Josiah Chapin, Esq.
Wrentham, . . . Mr. Ebenezer Fisher.

COUNTY OF ESSEX.

Salem, . . . Mr. John Pickering,
 Mr. John Gardner.
Lynn, . . . John Burrel.
Marblehead, . . . Mr. Richard Trevot.
Beverly, . . . Mr. Samuel Balch.
Wenham, . . . Mr. Samuel Fiske.
Ipswich, . . . Mr. Daniel Rogers,
 Mr. John Denison.
Glocester, . . . John Newman, Esq.
Rowley, . . . Capt. Ezekiel Northern.
Andover, . . . Mr. John Osgood.
Haverhil, . . . John White, Esq.
Boxford, . . . Mr. Joseph Hall.
Bradford, . . . Mr. Thomas Charlton.
Newbury, . . . Henry Somersby, Esq.,
 Mr. William Moody.
Salisbury, . . . Capt. Henry True.
Amesbury, . . . Mr. John Foot.
Topsfield, . . . Mr. Daniel Clark.

COUNTY OF MIDDLESEX.

Charlestown, . . . Charles Chambers, Esq.,
 Jonathan Dowse, Esq.
Watertown, . . . Mr. Thomas Streight.
Cambridge, . . . Edmund Goffe, Esq.
Wobourn, . . . Mr. John Pierce.
Reading, . . . Mr. Joshua Eaton.

COUNTY OF MIDDLESEX — *Concluded.*

Malden, . . . Mr. Phineas Upham.
Concord, . . . Mr. William Wilson.
Billerica, . . . Mr. George Brown.
Chelmsford, . . . Mr. Stephen Peirce.
Weston, . . . Mr. Josiah Jones.
Groton, . . . Mr. John Shipley.
Lancaster, . . . Mr. John Houghton.
Sudbury, . . . Mr. Edmund Rice.
Marlboro', . . . Mr. Thomas Rice.
Sherburn, . . . Mr. Benjamin Whitney.
Stow, . . . Mr. John Butterick.
Newton, . . . Mr. John Ward.
Frammingham, . . . Joseph Buckminster, Esq.
Lexington, . . . Mr. William Read.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Samuel Gallop.
Taunton, . . . Henry Hodges, Esq.
Swansey, . . . John Rogers, Esq.
Rehoboth, . . . Capt. Moses Read.
Attleborough, . . . Mr. David Freman.
Little Compton, Capt. William Southworth.
Dartmouth, . . . Capt. John Akin.
Dighton, . . . Mr. Benjamin Jones.
Tiverton, . . . Mr. Gershom Woodel.
Freetown, . . . Mr. Robert Durfey.

COUNTY OF HAMPSHIRE.

Springfield, . . . Luke Hitchcock, Esq.
Northampton, John Stoddard, Esq.
Hadly, . . . Mr. John Nash.
Hatfield, . . . Mr. John Partridge.
Suffield, . . . Mr. Atherton Mather.
Deerfield, . . . Mr. John Wells.
Westfield, . . . Mr. John Ashley.

COUNTY OF YORK.

York, . . . Mr. Samuel Came.
Berwick, . . . Mr. Samuel Plastead.
Kittery, . . . Mr. Joseph Hammond.
Wells, . . . Mr. William Sawyer.

COUNTY OF PLIMOUTH.

Plimouth, . . Nathaniel Thomas, Jr., Esq.
Scituate, . . Mr. Thomas Turner.
Marshfield, . . Mr. Isaac Little.
Duxborough, . Mr. John Patridge.
Rochester, . . Samuel Prince, Esq.
Middleborough, Mr. Jacob Thomson.
Pembroke, . . Mr. Joshua Cushing.
Bridgewater, . Mr. John Field.

COUNTY OF BARNSTABLE.

Barnstable, . . Daniel Parker, Esq.
Sandwich, . . William Basset, Esq.
Yarmouth, . . Peter Thacher, Esq.
Harwich, . . Mr. Samuel Clark.
Eastham, . . Mr. Samuel Knowles.

NANTUCKET.

James Coffin, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTIETH DAY OF MAY, A.D. 1716.

CHAPTER 1.

ADVISEM^t FOR SENDING A MESSENGER EASTWARD TO THE INDIANS
TO ACQUAINT THEM WITH THE FRIENDSHIP BETWEEN THE TWO
CROWNS OF G^t BRITAIN & FRANCE.

THE FOLLOWING ADVISEMENT pass'd in Council, viz'

Upon Reading the Expresses from the Eastward giving just grounds
to suspect that the Indians intend Mischeif to the Frontiers, W^h we
conclude is fomented by false Reports of a War likely to break out
between Great Britain & France, It being much for his Majesties Ser-
vice & the security & Peace of this Province that some method be
immediately taken for undeceiving the Indians in that Matter;

ADVISED that some discreet Person with an Interpreter be forth-
with dispatch'd to their Head Quarters to let them know we justly
take Umbrage at their suspicious Words & Deportment they have been
guilty of, contrary to the Peace establish'd, That we are desirous to
remain in Peace but if they against their Faith & Allegiance commit
any Hostilities, They must expect to be treated as Rebels & Enemies
to the Crown of Great Britain. Yet if they act upon a Supposal of a
War with France, We do assure them there is no War to be expected,
but a perfect Amity between the two Crowns That the Pretender has
been driven out of Great Britain, his Forces wholly defeated, & he with
his Adherents order'd to Depart the Dominions of France

Concur'd by the Represent^{ves} And farther ADVISED that some British
News Papers be sent to be read & interpreted to the Indians to satisfie
them of Peace between the two Crowns. [*Passed * June 1.*¹

Legislative
Records of the
Council, x., 52.

Legislative
Records of the
Council, x., 51.
Executive
Records of the
Council, vi.,
432, 433, 434 *bis*,
435, 460, 468, 469,
470. House
Journal, p. 4.

CHAPTER 2.

VOTE APPOINTING MR. WATTS AND CAPT. GILES AS MESSENGERS TO
THE EASTERN INDIANS.

[THE LIEUT. GOVERNOR AND COUNCIL having proposed Capt. Samuel
Moody as a messenger "to the Eastern Indians to let them know the
Orders of this Court"; and the House of Representatives, objecting
to the appointment of Capt. Moody as a person "obnoxious to the
Indians," and having proposed, instead, Mr. John Watts and Capt.
Johnson Herman;]

Legislative
Records of the
Council, x., 53.

Mass.
Archives,
xxix., 53, 54.
Legislative
Records of the
Council, x., 53,
52 *quater*.

¹ There is no evidence that this addition was agreed to by the Council.

Executive
Records of the
Council, vi.,
489, 502. House
Journal, p. 4.

A Message from the Leiv^t Govern^r & Council to the Represent^{ves} to signify to them that the Council agree to M^r Watts, & propose Cpt^t John Giles in the room of Cpt Johnson Herman. [*Passed* * June 1.¹

CHAPTER 3.

RESOLVE FOR DEMOLISHING CASCO FORT.

Legislative
Records of the
Council, x., 53.

House Jour-
nal, p. 4.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} Read & Concur'd viz^t This House being inform'd that the Votes of this Court to demolish Casco Fort & remove the Stores from thence are not fully complied with, W^h this House apprehend may be of dangerous Consequence by exposing his Majesties Stores & the few People that still remain there (contrary to the Acts of this Court) to the Insults of the Indians,

Resolved that his Honour the Leiv^t Govern^r be desired to direct a full Performance of the Votes of this Court in that Affair, & Order the Removing of the Stores to Boston, & the entire demolishing of y^e Fort & the Houses therein without Delay. [*Passed June 1.*

CHAPTER 4.

ORDER ACCEPTING THE COM^{TEES} REPORT FOR DIVIDING BRIDGWATER INTO TWO PARISHES.

Legislative
Records of the
Council, x., 54.

House Jour-
nal, p. 5.

Province of the Massachusetts Bay: Bridgwater April 18 1716

WHEREAS the General Court of the said Province on the seventh Day of December last upon the Petition of Sundry Inhabitants of said Bridgwater did Order & Appoint us the Subscribers a Committee to repair to the said Town of Bridgwater & view the Town & Consider of the most convenient Place for the Erecting of a new Meeting House, Having a Regard to a Suggestion of y^e Town that there will soon be need of a third Meeting House; Pursuant to the aforesaid Order, We the aforesaid Committee have repaired to the afores^d Town & viewed the same, & heard the Allegations of the Inhabitants, And y^e said Town being mett together, & Reconsidering their former Votes & the Circumstances of their Town referring to the Affair afores^d Manifested & Declared by their Vote their Desire to be divided into two Precincts & no more, for the Maintenance of the Worship of God, & submitted the Fixing of the Places for Erecting or Standing of the two Meetinghouses & the Dividing Line unto the Determination of the afores^d Committee; Are humbly of Opinion That it will well accommodate the Inhabitants of the said Town to be divided into two Precincts for the Maintenance of y^e Worship of God amongst them & that the dividing Line between the two Precincts be as follows; Viz^t Beginning at the

¹ Records of the same day indicate that the House of Representatives consented to substitute Capt. Giles for Capt. Herman. — Legislative Records of the Council, x., 53, 54. Council records only, it seems ("P Council," in the margin of the first); but speaking of Watts and Giles "as messengers to the Eastern Indians," on behalf of the General Court.

Moody and Watts were, on July 20 next, appointed by the Council to be sent "as messengers from this Government with an interpreter to Narridgwack to demand of the Indians there the reasons of the Letter brought by them from the French Missionary & to transact such other orders as they shall receive from this Government;" and "a small vessell" was to be fitted out to take them. — Executive Records of the Council, vi., 489. See also *ibid.*, 502, where the mission of Moody and Watts is more particularly stated.

Brook call'd the Mile Brook, Where the Road from Boston to Taunton croseth the said Brook, & from thence by a Line running West & by South to the uttermost Extent of the said Township, And from the Station first mention'd by a Line running Easterly in the Midway between the Dwelling House of William Hudson & the Dwelling House of David Perkins Jun^r & from thence the said Line to be continued in the midst between the Dwelling House of Edward Mitchel & the Dwelling House of Nathaniel Hayward, And from thence the said Line to be continued Easterly in the midst betwixt the Dwelling House of James Latham & the Dwelling House of Joseph Washburn jun^r & from thence by a due East Line to the Extent of the said Bridgewater Township.

And that all the Lands & Inhabitants within the said Township on the Southerly Side of the said Line be & belong to the Southerly Precinct, And that all the Lands & Inhabitants within the said Township on the Northerly Side of the aforesaid Line be & belong to the Northely¹ Precinct.

And further We are of Opinion that the High or Rising Ground on the Southerly Side of the High Way going by John Washburn's House being the Easterly Part of his Field is a very proper & convenient Place for the Erecting a Meeting House for the Southerly Precinct, And that the old Meeting House now standing in the Northely¹ Precinct be continued in the Place where it now standeth for the Space of Five Years next ensuing, & then that it be removed Easterly or a new one erected for the said Northerly Precinct upon the High or Rising Ground in y^e Southerly Part of Isaac Johnsons Field, where divers Roads or High Ways do meet convenient for that purpose.

JOHN CUSHING

HENRY HODGES

EDMUND QUINCEY.

JACOB TOMSON

GEORGE LEONARD

Accepted in Council; And Concur'd by the House of Represent^{ves}

PROVIDED. that the whole Town stand obliged to an Honour^{able} Maintenance of the Rev^d M^r Keith their present aged Minister, If he shall out live his Powers & Capacities of Discharging the Office & Duty of their Minister

Concur'd with the Proviso inserted by the Represent^{ves}. [*Passed June 1.*]

CHAPTER 5.

ORDER FOR SENDING ENS. JOHN SHIPLEY WTH 4 MEN TO PENNICOOK TO MAKE DISCOVERY OF THE INDIANS & DESIGNS.

[UPON READING] A Message from the Represent^{ves} by Oliver Noyes William Bassett & John Stoddard Esq^{rs} M^r Joseph Hammond M^r John Shipley & M^r Sam^l Plaisted, Desiring y^t his Honour the Leiv^t Govern^r would be pleased to send an Express forthw^h by Land to Piscatiqua, & from thence to Winter Harbour to acquaint Cpt: Lane with the Proceedings of the Court relating to y^e Eastern Indians

Legislative
Records of the
Council, x., 55.

Ordered that Ensign John Shipley do forthwith take with him four men, & go to Pennycook or any other Place he may suspect to make what Discovery he can of any Body of Indians & of their Designs against us & that he may make Return of his Proceedings to the Hon^{ble} the Leiv^t Gover^r with all possible Dispatch. [*Passed June 2.*]

¹ *Sic.*

CHAPTER 6.

VOTE ALLOWING COMBES HUMPHREYS £6.

Legislative
Records of the
Council, x., 55.

House Jour-
nal, p. 5.

UPON READING a Petition of Combes Humphreys of Marblehead. Praying that he may have, his Wages for two Years & nine Months being that time in the Enemies Hands in Canada, who was in the Service of this Province when taken. Also that he may be allowed & repaid the sum of Five Pounds, which he paid for his Ransom, And three Pounds, wh^h he disburs'd in the time of his Sickness, in Canada;

Voted that the sum of six Pounds be allowed & paid out of the publick Treasury to Combes Humphres the Petitioner in full of his Petition. [*Passed June 2.*]

CHAPTER 7.

ORDER ON JOSIAH CHAPIN ESQ^r PETⁿ RENEWING A GRANT OF LAND.

Legislative
Records of the
Council, x., 56.

House Jour-
nal, p. 6.

UPON READING a Petition of Josiah Chapin of Mendon Esq^r Setting forth, that in the Month of May Anno 1664, The General Court granted to Samuel Chapin Father of the said Josiah, Two hundred Acres of Land to be taken up in any free Countrey Land, W^h was done accordingly, And a Plan thereof taken & laid before the General Court at their Session in Boston in the Year 1669, & by them Accepted & Approved of, But it being made since appear that y^e said Land platted as afores^d was within the Limits of & belonged to the Town of Mendon, And the Inhabitants of the said Town have gotten possession thereof, Praying that the said Grant made in the Year 1664, may be renewed & that he may have Liberty to take up the said Two hundred Acres of Countrey Lands, where it may be found according to the true Intent of the said Grant:

Ordered that the Prayer of the Petition be granted, And that the Land be forthwith laid out in a proper regular form by an able Surveyour & Chain Men under Oath, The Plat thereof to be laid before y^e Court for Approbation. [*Passed June 2.*]

CHAPTER 8.

VOTE ACCEPTING PLYM^o COUNTY TREAS^r ACCO^t.

Legislative
Records of the
Council, x., 56.

House Jour-
nal, p. 6.

THE ACCOUNT of the County Treasurer of Plimouth, Accepted in the House of Represent^{ves} Read & Concur'd. [*Passed June 2.*]

CHAPTER 9.

ORDER REFERRING TO THE QUARTER SESSIONS OF MIDDLESEX THE BILLERICA PETⁿ IN REGARD TO CHARGES FOR REPAIRING A BRIDGE.

Legislative
Records of the
Council, x., 56.

House Jour-
nal, p. 5.

UPON READING a Petition of the Agents for the Towns of Billerica & Chelmsford &c Setting forth that there was a Bridge erected over Concord River in the Township of Billerica, W^h Bridge was built by Billerica Chelmsford & Groton &c according to a former Settlement

made by a Committee appointed for the Settlement of the Charges of the Bridges in the County of Middlesex, But Groton upon Application to this Great & General Court in the Year 1699, did obtain a Discharge from either Building or repairing for the future without further Order from this Court, & the said Bridge being fallen into such Decay, that it is no ways profitable to repair or safe to improve as it is any longer, but must of Necessity be rebuilt, & the Charge thereof will be so great, as will be too heavy for Billerica & Chelmsford to bear, Praying the Premises may be considered

Ordered that this Petition be referred to the Justices in their Quarter Sessions in the County of Middlesex, And that an Act be drawn accordingly. [*Passed June 2.*]

CHAPTER 10.

ORDER ACCEPTING THE COMTEES REPORT OF UNSERVICEABLE BILLS; TREAS^R DISCHARGED.

IN OBEDIENCE to an Order of the Great & General Court at their Sessions in May 1715, appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c We have accordingly receiv'd of M^r Treasurer Allen the several Bills of the Denominations in the above mentioned Accompt, Amounting to the Sum of Nine Thousand One hundred & eighty Pounds eight Shillings & two pence at their express'd Value, All of wh^h Bills We have consumed to Ashes; Whereof Three thousand five hundred sixty one Pounds & five shillings Part of the abovesaid Sum., were delivered us as upon the Province Acc^t as being received for Taxes, Impost & Excise, which with the Advance of five per Cent, as they were taken into the Treasury, Amounts to the sum of Three Thousand seven hundred thirty nine Pounds six shillings and three pence, also Three Thousand Pounds Nett Bills as being exchange'd in the Treasury. & Two Thousand six hundred nineteen Pounds three shillings & two pence, Nett Bills, as being receiv'd of the Trustees above mentioned, Making in the whole, Nine Thousand three hundred fifty eight Pounds nine shillings and nine Pence; As Witness our hands the 23^d of April 1716

CHA CHAMBERS
W^m DENISON
OLIVER NOYES
W^m PAYNE

ELISHA COOK
JOHN CLARK
ADDIN. DAVENPORT
THOMAS FITCH

Legislative
Records of the
Council, x., 57.
House Jour-
nal, p. 6.

Ordered that the above written Report be accepted, And that the Treasurer be discharg'd of the sum of Nine Thousand three hundred and fifty eight Pounds, nine shillings & five pence accordingly. [*Passed June 5.*]

CHAPTER 11.

ORDER APPOINTING A COMMITTEE ON KITTERY N^o PARISH PETITION ABOUT THE LOCATION OF A MEETING HOUSE, AND SETTLEMENT OF BOUNDS.

UPON READING a Petition of Joseph Hammond in Behalf of the Upper or the North Parish in the Town of Kittery referring to to¹ the Ministry in Kittery & Berwick, Praying the Courts Consideration of & further Explanation of their Order concerning y^e s^d Town of Kittery &c

Legislative
Records of the
Council, x., 58.
House Jour-
nal, p. 6.

¹ *Sic.*

Resolved that the Inhabitants which dwell between Sturgeon Creek & Thomsons Brook, that did belong to the Parish of Berwick, were by this Court taken off from Berwick Parish, when they were constituted a separate Township, And that from thence forth they did & now do belong to the Town of Kittery to all Intents & Purposes whatsoever; And inasmuch as there is an unhappy Difference arisen in the Upper Parish of Kittery about the Place of setting their Meeting House; which they find difficult to issue amicably:

Ordered that John Wheelright Esq^r Cpt Abraham Prebble & Cpt Henry Bane be a Committee to go upon y^e Spot & View & Consider the Extent & Scituation of the said Upper Parish & of the several Houses & Settlements there, & Determine the Place that they think most proper all things considered whereon to place the Meeting House for the said Parish & make Report to this Court, The said Upper Parish to bear the Charge of the said Committee, And that the said Committee be empowered to settle the Bounds between the Towns of Kittery & Berwick according to the Order of this Court Anno 1715.¹ [*Passed June 5.*]

CHAPTER 12.

VOTE ACCEPTING BARNSTABLE C^O TREAS^R ACCO^TS.

Legislative
Records of the
Council, x., 59.
House Jour-
nal, p. 6.

THE ACCOMPT of the County Treasurer of Barnstable for y^e Year 1715, Accepted in the House of Represent^{ves} Read and Concur'd.
[*Passed June 5.*]

CHAPTER 13.

RESOLVE CONFIRMING VOTES OF SELECTMEN OF NEWTOWN.

Legislative
Records of the
Council, x., 59.
House Jour-
nal, pp. 7, 9.

UPON READING a Petition of Jonathan Fuller John Greenwood & Samuel Trusdale with the Select Men of Newtown a Committee for & in Behalf of the said Town, Praying that the Agreement & Town Votes annex'd to their Petition referring to the Building & Finishing a Meeting House may be approved of ratified & Confirm'd by this Great & General Court;

Resolved that the Prayer of the Petitioners be granted & that the Town Votes of Newtown hereto annexed be & hereby are approved of ratified & confirm'd, Any former Order of this court to the Contrary thereof notwithstanding. [*Passed June 5.*]

CHAPTER 14.

RESOLVE ALLOWING £10 TO JOSEPH BRAMHALL.

Legislative
Records of the
Council, x., 59.
House Jour-
nal, p. 8.

UPON READING A Petition of Joseph Bramhal of Boston, late belonging to his Majestys Castle William Setting forth That about fourteen years agoe he was impress'd in his Majesties Service at the said Castle., where he continued in the pay of the Province about twelve Years, In which time he was visited with Sickness whereby he has been at great

¹ *Sic*, but *quare*? Perhaps the order of November 5, 1712, is meant. — Legislative Records of the Council, ix., 242.

Expende, & is now reduced to low Circumstances, Praying Consideration for his Expences;

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} Adam Winthrop Esq^r to be improved for for¹ the Use & Releif of the Petitioner. [*Passed June 6.*]

CHAPTER 15.

RESOLVE ALLOWING JOHN ARMES £6.

UPON READING a Petition of John Armes of Deerfield Setting forth that in the Service of this Province he was taken Captive be¹ the Indian Enemy, & receiv'd many Wounds from them & was kept in the¹ hands upwards of eight Mouths & by Paying One hundred Livres obtain'd his Ransom, Praying the Premisses may be considered;

Legislative
Records of the
Council, x., 60.
House Jour-
nal, p. 8.

Resolved that the Sum of six Pounds be allowed & paid out of the publick Treasury to John Armes the Petitioner in answer to his Petition. [*Passed June 6.*]

CHAPTER 16.

ORDER GRANTING MARTHA TUTHILLS PETITION TO CONVEY LAND TO IPSWICH.

UPON READING a Petition of Martha Tuthill Relict Widow of M^r John Tuthill of Ipswich in the County of Essex Dec^d Intestate, Setting forth that the said John Tuthill some time before his Death made an Exchange of a considerable Parcel of Lands with the Proprietors of Ipswich to the Value of about Two hundred Pounds, & fenced in said Lands with great Charge but died before he had made a Conveyance of the said Land to the s^d Proprietors; Praying that she may be enabled to make such legal Conveyance of the said exchang'd Land as may be to the satisfaction of the Commoners & &¹ Proprietors of the Town of Ipswich, & that the Fee of the Land exchang'd by the said Proprietors may be ratified & confirm'd to the Estate of the said Dec^d.

Legislative
Records of the
Council, x., 60.
House Jour-
nal, p. 8.

Ordered that the Prayer of the Petition be granted. [*Passed June 6.*]

CHAPTER 17.

ORDER OF HEARING ON BISHOP & WOODBURYS PETⁿ ABOUT THE HAMLET IN IPSWICH.

UPON READING a Petition of Edward Bishop Isaac Woodbury and others of the Town of Ipswich, Praying to be sett off to the Ministry of y^e Hamlet of the said Town, where they have attended the publick Worship of God ever since they have been a Precinct of the Ministry

Legislative
Records of the
Council, x., 61.
House Jour-
nal, p. 8.

Ordered that the Petitioners serve the Precinct of Chebacco & that call'd the Hamlet with a Copy of this Petition, & notify them that they may be heard thereon if they desire it on Fryday the fifteenth Current before this Court. [*Passed June 6.*]

CHAPTER 18.

ORDER OF HEARING ON ELISHA HEDGE PETⁿ ABOUT MONOMOY BEACH.Legislative
Records of the
Council, x., 60.House Jour-
nal, p. 9.

UPON READING a Petition of Elisha Hedge John Smith & others of Chatham, Praying Confirmation of Monomoy Beech, as specified in a Deed of Sale to them from John & Joseph Quason Indians

Ordered that a Hearing be had on this Petition before this Court this Day in the Afternoon. [*Passed June 7.*]

CHAPTER 19.

ORDER OF HEARING ON THE PETITION OF CAMBRIDGE, CLAIMING TO BE SHIRE TOWN OF MIDDLESEX.

Legislative
Records of the
Council, x., 63.House Jour-
nal, p. 10.
Province
Laws, II., 32.

UPON READING the Representation & Complaint of Edmund Goffe Esq^r Represent^{ve} for Cambridge, Setting forth, That the said Town of Cambridge is the Shire Town of the County of Middlesex, And that by a late Law of this Province entituled An Act for the more safe keeping the Registry of Deeds & Conveyances of Lands, It is enacted that there shall be chosen in each County with in this Province some discreet & suitable Person &^c to be Register in such County, And that at the Quarter Sessions of the Peace held at Charles-town within & for the said County of Middlesex, the Choice of the said Officer was declared & the Person sworn &^c But no care has been taken that a publick Office be opened & kept at Cambridge the Shire Town of the said County of Middlesex, As in & by the said Act is directed, Praying that the publick Office for Registering of Deeds & Conveyances of Land for the said County may be forthwith opened & kept at Cambridge

Upon the Motion of the Represent^{ves} of the Town of Charlestown who affirm'd the said Town to be the Shire-Town

Ordered that they receive a Copy of this Petition, And that they may be heard before this Court in Answer thereto on Thursday next. [*Passed June 8.*]

CHAPTER 20.

RESOLVE ALLOWING £6. 2. 6 TO W^m PAYNE ESQ^r.Legislative
Records of the
Council, x., 63.House Jour-
nal, p. 11.

Resolved that the sum of Six Pounds two shillings & six pence be allowed & paid out of the Publick Treasury to William Payne Esq^r to discharge his Account presented.¹ [*Passed June 8.*]

CHAPTER 21.

ORDER OF HEARING ON SAM^l & NATH^l PORTER'S PETITION PRAYING RELIEF FROM AN EXECUTION.Legislative
Records of the
Council, x., 64.House Jour-
nal, pp. 10, 11,
17.

UPON READING the Representation & Complaint of Samuel Porter & Nathaniel Porter Administ^{rs} Cum Testamento annexo &^c of the Estate of their Father Joseph Porter late of Salem in the County of Essex Dec^d Setting forth y^t their said Father Joseph Porter in & by his last

¹ "For collecting y^e Grants and Allowances of the General Assembly from 1692."—Mass. Archives, cxliii., 86.

Will & Testament among other things therein contain'd Did give devise & bequeath his Homestead with the whole Farm called Downings Farm unto his Son Joseph Porter whom he made sole Executor, who is since dead, And pursuant to their Letters of Administration they proceeded to pay Debts & Legacys, & leas'd the Farm to the best Advantage, Nevertheless the Gaurdians of the Children of their said Brother Joseph Porter sued the Tenants at the Inferior Court held at Salem in June last to eject them out of the Farm, as also to recover all the moveable Estate; When & where Judgment went against the Petitioners in both Causes, And Execution & Possession of y^e Land was given to the Plaintiffs, And the Execution for the Costs taken & served on the s^d Petitioners own proper Estate. Notwithstanding they defended as Administrators only, Praying Relcif in the Premisses.

Ordered that the Petitioners serve the adverse party with a Copy of this Petition, & Notify them that they may be heard before this Court on Wednesday the thirteenth instant. If they have any thing to alledge why the Prayer thereof should not be granted, And that in the mean time the Execution mentioned in the Petition be stop'd. [*Passed June 9.*]

CHAPTER 22.

ORDER APPROPRIATING THE INTEREST OF THE £50,000 LOAN TO MAKE GOOD THE DEFICIENCY OF THE £22,000 LEVIED IN MAY. 1715.

WHEREAS upon Examination it is found that the Funds for bringing in the Twenty two Thousand Pounds that was formerly granted to be levied the last May Session, fell short the sum of Three Thousand five hundred seventy two Pounds three shillings & one penny

Ordered that the Interest of the Fifty Thousand Pounds of Bills of Credit lent by this Province not yet paid into the Treasury be granted & appropriated for the making good of the said Deficiency, so far that y^e first Three Thousand five hundred seventy two Pounds three shillings & one penny thereof that shall be paid into the Treasury by the Trustees for the said Loan shall be applied & improv'd to discharge the same, Theree¹ being as yet but Nine hundred & three Pounds three shillings & two pence of the said Interest paid into the Treasury. [*Passed June 11.*]

Legislative
Records of the
Council, x., 64.

House Jour-
nal, p. 12.
Province
Laws, ii., 33.

CHAPTER 23.

VOTE ACCEPTING TREAS^{RS} ACCO^{TS} AND DISCHARGING HIM FOR £32,342. 10. 5.

THE ACCOMPT of M^r Jeremiah Allen Treasurer & Receiver Gener^{ll} of this Province beginning the 26th of May 1715: And continued unto y^e 30th Day of May 1716, Amounting unto the sum of Fifty one Thousand fifty two Pounds eightteen shillings & seven pence having been presented & laid before y^e House of Represent^{ves} & inspected by said House, By which it appears there was standing out on said thirteenth Day of May Four Thousand four hundred & eightteen pounds sixteen shillings & two pence of the Taxes, Nine Thousand Pounds Nett Province Bills for the Exchange of Bills, One Thousand two hundred & twenty two Pounds ten shillings & ten pence nett Province Bills, And Four Thousand sixty Nine Pounds one shilling & two Pence Province

Legislative
Records of the
Council, x., 65.

House Jour-
nal, p. 9.

Bills with the five *p* Cent Advance thereon in the Treasury & further to be accounted for;

Voted that the said Accompt in the severall Articles of Receipts & Payments therein mention'd amounting unto the Sum of Thirty two Thousand three hundred forty two Pounds ten shillings & five pence be & are hereby allowed of, And the said Treasurer is hereby discharged of the s^d Sum of Thirty two Thousand, three hundred forty two pounds ten shillings & five pence. [*Passed June 12.*]

CHAPTER 24.

VOTE ESTABLISHING RATES OF EXCISE ON LIQUORS.

Legislative
Records of the
Council, x., 66.

House Jour-
nal, p. 11.
Province
Laws, ii., 66.

Voted that the Rates of Excise on strong Drink for the Year coming be as follows; viz' Upon Rum & other distill'd Spirits, eight pence *p* gallon, On all sorts of Wine six pence *p* gallon, On Cyder & Perry two shillings *p* barrel, And that all Taverners Retailers &c shall give Accompt upon Oath of y^r Draught & that they shall not be compounded with, That an Act be drawn accordingly. [*Passed June 12.*]

CHAPTER 25.

RESOLVE ALLOWING £100 TO THE REV^d DR INCREASE MATHER.

Legislative
Records of the
Council, x., 66.

House Jour-
nal, p. 12.

Resolved that the sum of One Hundred Pounds be farther allow'd & paid out of the publick Treasury to the Rev'd D^r Increase Mather in full for his Service as Agent for this Province at Whitehall from Decem^r 1689 to October 1692. [*Passed June 12.*]

CHAPTER 26.

RESOLVE ALLOWING £100 TO THE HEIRS OF THE REV^d M^r ICHABOD WISWALL.

Legislative
Records of the
Council, x., 66.

House Jour-
nal, p. 13.

Resolved that the Sum of One Hundred Pounds be allowed & paid out of the publick Treasury to the Heirs of the late Rev'd M^r Ichabod Wiswall further & in full for his Service in Accompanying the Agents of this Province to & at Whitehall from Decem^r 1689 to October 1692. [*Passed June 12.*]

CHAPTER 27.

RESOLVE UPON WANNO & SHANTON'S PETITION ABOUT THE BOUNDS OF BRIDGEWATER.

Legislative
Records of the
Council, x., 63.

Mass.
Archives,
xxx1., 43.
Legislative
Records of the

THE FOLLOWING RESOLVE pass'd in Council upon the Hearing had the first Curr^d upon the Petition of Isaac Wannoo & Joshua Shanton Agents for the Indian Town of Ketticut relating to the Town of Bridgewater Claim to part of the said Indians Lands; Viz'

Resolved that Ketticut River is the Suthermost Bounds of the Town

of Bridgwater, Any Construction putt upon the Report of the Committee of Barnstable notwithstanding: Concur'd by the Representatives. [*Passed June 13.*]

Council, x., 53
bis. House
Journal, p. 14.

CHAPTER 28.

RESOLVE ALLOWING £27. 16. 5 TO MR JOHN CAMPHELL.

IN ANSWER to the Petition of John Camphel Deputy Post Master General of New England,

Resolved that the Sum of Twenty seven Pounds sixteen Shillings & five pence be allowed & paid out of the publick Treasury to Mr John Camphel the Petitioner in full of his Accompt of Postage of publick Letters. [*Passed June 13.*]

Legislative
Records of the
Council, x., 66.
House Jour-
nal, p. 14.

CHAPTER 29.

ORDER MAKING AROWSICK ISLAND A TOWNSHIP BY THE NAME OF GEORGE TOWN.

UPON READING a Petition of Edward Hutchinson Esq^r John Gerrish & others the first Settlers of Arrowsick Island, Praying that an Addition may be made to their Number of Men, or at least to continue the twenty six Men now there for farther time as this Court shall see meet, to cover the new Settlements, And that the Island of Arrowsick may be granted & mdde¹ a Township & have the Privilege of a Town by the name of George Town

*Ordered*² that the Prayer of the Petition be granted, And that the Island of AROWSICK be constituted a Township by the Name of GEORGE TOWN. [*Passed June 13.*]

Legislative
Records of the
Council, x., 66.
Ibid., State
Library, x., 75.
House Jour-
nal, p. 14.

CHAPTER 30.

ORDER ALLOWING SIXTEEN MEN TO BE IN THE PUBLICK PAY AT AROWSICK FOR SIX MONTHS.

Ordered that sixteen Men in the publick Pay be allowed to cover the Settlement at Arrowsick Island now denominated George Town for the space of six months & no longer. [*Passed June 13.*]

Legislative
Records of the
Council, x., 67.

Legislative
Records of the
Council, x., 67.
House Jour-
nal, p. 14.

CHAPTER 31.

ORD² ON THE PETITION OF SAM^l & NATH^l PORTER, ALLOWING A NEW TRIAL.

ON A HEARING of the the¹ Petition of Samuel Porter & Nathaniel Porter &c It being sett forth that their Appeal on a Scire Facias &c was quash'd by a Defect in the Reasons of Appeal;

Legislative
Records of the
Council, x., 68.

House Jour-
nal, p. 17.

¹ *Sic.*

² This paragraph, not found in the Secretary's copy, is taken from the copy in the State Library, Legislative Records of the Council, x., 75.

Ordered that the Reasons of Appeal be amended, & the Petitioners admitted to a new Trial of the said Action at the Superior Court to be held at Salem for the County of Essex in November next: The adverse Party to be timely notified, And the Execution in the mean time be suspend'd. [*Passed June 15.*]

CHAPTER 32.

ORDER ON THE PETⁿ OF GLOCESTER ON THE WESTERLY SIDE OF ANASQUAM RIVER.

Legislative
Records of the
Council, x., 66.

House Jour-
nal, p. 17.

ON CONSIDERATION of the Allegations this Day in y^e Hearing had upon the Petition of the Inhabitants of the Town of Gloucester that live on the Westerly Side of Anasquam River & Little River so called;

Ordered that the Prayer of the Petition be granted, And that the Inhabitants on the Westerly Side of Ana[s]quam River be & hereby are Sett off a distinct & separte Precinct according to the Vote of the Town & that they have all Powers & Authorities with other Precincts as the Law directs. [*Passed June 16.*¹]

CHAPTER 33.

RESOLVE GRANTING WIG. SWEETSERS PETITION FOR CONFIRMATION OF TITLE TO LAND.

Legislative
Records of the
Council, x., 69.
Mass.
Archives,
ccxliii., 18.

House Jour-
nal, p. 15.

UPON READING a Petition of Wiglesworth Sweetser of Boston Taylour & Ursula his Wife, Praying the Courts Confirmation of Three Hundred Acres of Land as the same is laid out in a Plat thereof exhibited, The said Land being Part of the Estate of John Wampas alias White under whom they claim their Right.

Resolved That the Praier of the Petition be Granted, Provided It doth not Interfere with any former Grant. [*Passed June 16.*]

CHAPTER 34.

RESOLVE ALLOWING JA. HOVEY £8. 6. 8.

Legislative
Records of the
Council, x., 69.

House Jour-
nal, p. 16.

Resolved that the Sum of Eight Pounds six Shillings & eight Pence be allowed & paid out of the publick Treasury to James Hovey the Petitioner in full of his Petition.² [*Passed June 16.*]

¹ A record of the foregoing proceedings will be found also of date June 6 (Legislative Records of the Council, x., 69); but that date represents the action of the Council, the concurrence and consent being, it seems, entered there subsequently to the action in Council of June 12, to show that the action of the Council was adopted. Similar records of the Secretary are found in other places. See the prefatory note to this volume.

² "Paid to ransom himself out of Captivity, having been Captivated in the Service Anno 1707, by the Indian Enemy and Carried to Quebeck."—House Journal, p. 14.

CHAPTER 35.

VOTE APPOINTING A COM^{TEE} TO CONSIDER THAT PART OF HIS HONOURS
SPEECH RELATING TO THE PROMOTING TRADE &c.

THE FOLLOWING ORDER pass in the House of Represent^{ves} viz^t

Ordered that Elisha Cook Esq^r M^r Thomas Turner Charles Chambers Esq^r Col^o Henry Somersby, Oliver Noyes Esq^r Samuel Thaxter Esq^r Col^o Edmund Goffe, M^r Richard Trevott, Cpt John Gardner, Cpt Samuel Gallop M^r Luke Hitchcock & Col^o William Basset with such as the Hon^{ble} Board shall appoint be a Committee to consider a Paragraph of his Honour the Lieut^{en}ant Govern^{rs} Speech, W^h relates to the promoting the Produce & Trade of y^e Country, & make Report what they think proper for this Court to do therein as expeditiously as may be

Concur'd by the Council, And Andrew Belcher Nath^l Payne John Cushing John Otis John Clark Thomas Hutchinson Samuel Browne Thomas Fitch Edmund Quincey & Adam Winthrop Esq^{rs} of y^e Council be appointed a Committee to join with the Committee of the Hon^{ble} House of Represent^{ves} to Consider that Paragraph of his Honour the Liev Govern^{rs} Speech which relates to the promoting the Produce & Trade of this Countrey &c. [*Passed June 16.*]

Legislative
Records of the
Council, x., 70.
House Jour-
nal, p. 17.

CHAPTER 36.

RESOLVE GRANTING JOHN FRANCIS PETITION FOR LAYING OUT CER-
TAIN LAND.

UPON READING the Petition of John Francis of Medford, Who had the Grant of One hundred Acres of Land made to him by the General Court October 15. 1679 in consideration of a Wound he receiv d in building Harvard College, but the said Grant was never yet laid out, Praying that he may be now allowed to do it.

Resolved, That the Prayer of the Petition be Granted. [*Passed June 16.*]

Legislative
Records of the
Council, x., 70.
Mass.
Archives,
cexliiii., 17.
Mass.
Archives,
lviii., 101;
cexliiii., 17.
House Jour-
nal, p. 16.

CHAPTER 37.

RESOLVE ALLOWING JOHN WHEELWRIGHT ESQ^R £21 FOR THE COM^{TEE}
FOR EASTERN CLAIMS.

UPON READING the Memorial of John Wheelwright Esq^r in Behalf of himself & the rest of the Committee for Eastern Claims, Praying that an Account of their Time & Charge in that Service & in laying out a Town at Winter Harbour therewith presented may be allowed & paid

Resolved that the Sum of Twenty one Pounds be allowed & paid out of the publick Treasury to John Wheelwright Esq^r to discharge y^e above Acc^o. [*Passed June 16.*]

Legislative
Records of the
Council, x., 71.
Legislative
Records of the
Council, ix.,
442; x., 61.
House Jour-
nal, p. 16.

CHAPTER 38.

RESOLVE ALLOWING £115. 15 TO OVERSEERS OF BOSTON POOR.

Legislative
Records of the
Council, x., 71.House Jour-
nal, p. 15.

AN ACCOMPT of Daniel Oliver &c Overseers of the Poor in y^e Town of Boston of their Charge in the necessary Support of Province Poor. Amounting to the sum of One Hundred & fifteen Pounds & fifteen shillings, Presented for Allowance & Payment

[Read, accepted, and]

Resolved that the Sum of One Hundred & fifteen Pounds & fifteen shillings be allowed & paid out of the publick Treasury to y^e Overseers of the Poor of the Town of Boston to discharge the Accompt on the other Side. [*Passed June 18.*]

CHAPTER 39.

RESOLVE REMITTING THE DUTY OF SIX CASKS OF RUM IN FAVOR OF THO^s WRIGHT.Legislative
Records of the
Council, x., 71.House Jour-
nal, p. 17.

UPON READING a Petition of Thomas Wright late Master of y^e Mary Galley of London, that was unfortunately cast away at Cape Sables, a little time since, Praying that the Duty of two Pipes, two Hogsheads & two Teirces of Rum that he saved & imported into this Province may be remitted ;

Voted That the Duty of the six Casks of Rum mention'd in this Petition be remitted to the Petitioner. [*Passed June 18.*]

CHAPTER 40.

RESOLVE ALLOWING COL^o BENJ^a CHURCH £60.Legislative
Records of the
Council, x., 71.House Jour-
nal, p. 17.

IN CONSIDERATION that the Hon^{ble} Coll Benjamin Church bestow'd in Rewards on particular Persons &c the value of his Wages in his Eastern Expedition 1704, & of his great Expences in Raising Volunteers for the Service of this Province, & many other his good Services ;

Resolved that the Sum of Sixty Pounds be allowed & paid out of the publick Treasury in full as a Gratuity to the said Coll. Church. [*Passed June 18.*]

CHAPTER 41.

RESOLVE ALLOWING BENJ^a STEBBINS £3. 17. 4.Legislative
Records of the
Council, x., 72.House Jour-
nal, p. 17.

AN ACCOMPT of Money due to Benjamin Stebbins for Service done & Money expended for the publick, Amounting to the sum of Three Pounds seventeen shillings & four Pence, Presented &c

[Read and]

Voted That the Sum of Three Pounds seventeen shillings & four pence be allowed & paid out of the publick Treasury to M^r John Patridge to discharge the above Acc^o. [*Passed June 18.*]

CHAPTER 42.

RESOLVE ACCEPTING THE COM^{TEES} REPORT FOR LAYING OUT A ROAD TO PEJEPSCOT; AND GRANTING £40 FOR THE SUPPORT OF A MINISTER AT WINTER HARBOUR, AND £57. 5 TO THE COM^{TEE} FOR LAYING OUT PEJEPSCOT ROAD.

PURSUANT to an Order of the Great & General Court or Assembly of the Province of the Massachusetts Bay at their Session in May last appointing us the Subscribers with others a Comp^{tee} to lay out a Road to Pejepscot &c Accordingly We mett at several Times, & being all of us utter Strangers to y^e Way, We at last procur'd four Men, which were Pilots, & agreed with them to find out the most direct Way from Wells to Pejepscot & mark y^e same, W^h Men proceeded in the Affair, & in about twenty one Days effected it, & return'd to us & inform'd us, That they had found a very good Road to Pejepscott aforesaid with Respect to the Ground, which only wanted clearing, Upon which We determined two or three of us to proceed upon the Affair, But the Coldness of the Season together with our Indisposition of Body prevented our going, Except Cpt Preble, who with much Difficulty has been down to Pejepscot & measured said Road, W^h is from Wells to Pejepscot Fifty five Miles; Cpt Preble informs us that there are two Rivers which require Ferrys, viz^t Saco & Peseimscot & two others which are fordable except in extraordinary Freshets, viz^t Mousam & Ryals River, There is also a Bridge or Cawsey necessary to be made over the head of Black Point Marshes of about One Hundred and Thirty Poles with several other small Bridges; As to the Charge by y^e best, Information We have from Cpt Preble, & the best Knowledge we have otherwise; We are of Opinion, That the Clearing & Bridging said Road, Excluding y^e River of Mousam & Ryals River will cost Three Hundred & twenty Pounds:

As to the Affair of Winter Harbour, We find about Twenty Families. W^h may attend the publick Worship of God there, about ten of which are near the Fort; There is also a considerable Resort of Fishermen, The Inhabitants are willing beyond their Ability to contribute towards y^e Encouragment of a Minister there, We are therefore of Opinion, That it is absolutely necessary that a Minister be encourag'd & sent thither

JOSEPH HAMMOND
ABRA PREBBLE

JN^O WHEELWRIGHT
CHARLES FROST

York Dec^r 27. 1715

Upon the foregoing Report & the Committees Accompt of Expence & Charge thereto annex'd. The following Resolve pass'd in the House of Represent^{ves}; Read & Concur'd; Viz^t

Resolved that a Minister be allowed for the Garrison of Winter Harbour for y^e Space of One Year, And that the Sum of Forty Pounds be allow'd & paid out of the publick Treasury for his Support

And that the Sum of Fifty seven Pounds five shillings be further allowed & paid out of the publick Treasury to Abraham Prebble Esq^r to discharge the Committee's Accompt aforewritten. [*Passed June 18.*

Legislative
Records of the
Council, x., 72.

Legislative
Records of the
Council, x., 58.
House Jour-
nal, p. 16.

CHAPTER 43.

RESOLVE ALLOWING BENJ^A WRIGHT £3 P^R ANN. DURING HIS NATURAL LIFE.Legislative
Records of the
Council, x., 73.House Jour-
nal, p. 15.

IN ANSWER to the Petition of Benjamin Wright of North-Hampton, who was in the Service of the late War, & had one of his Hands maimed & disabled by his Guns breaking in Firing,

Resolved that the Pension of Three Pounds per Annum be allowed & paid out of the publick Treasury to Benjamin Wright the Petitioner during his natural Life. [*Passed June 18.*]

CHAPTER 44.

ORDER OF HEARING ON MARY PLAISTEDS PETITION TO SELL LAND.

Legislative
Records of the
Council, x., 73.House Jour-
nal, p. 19.

UPON READING a Petition of Mary Plaistead Widow formerly Wife of John Sayward of York, who died Intestate, & Admint^x to his Estate, Praying that she may [be] enabled to make Sale of so much of the Land which the s^d Sayward died seiz'd of, as will amount to the Sum of Twenty Pounds thirteen Shillings & six pence;

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition, And that they may be heard on the second Wednesday of the Fall Session of this Court, If any thing they have to shew why the the¹ Prayer thereof should not be granted. [*Passed June 18.*]

CHAPTER 45.

ORDER GRANTING THE PETITION OF SPENCER PHIPS ESQ^R, ALIAS BENNET, IN REGARD TO HIS NAME.Legislative
Records of the
Council, x., 73.House Jour-
nal, p. 19.
Province
Laws, vi., 85.

UPON READING a Petition of Spencer Phips alias Bennet Esq^r Praying this Court to declare & Confirm his Sir Name to be Phipps, Having been adopted by S^r William Phipps Knight deceas'd, Who desired that he might bear his name;

Ordered that the Prayer of the Petition be granted, And y^t a Bill be prepared accordingly. [*Passed June 18.*]

CHAPTER 46.

ORDER DIRECTING THE TREAS^R TO PURCHASE THE HANGINGS LATE BELONGING TO THE PROVINCE HOUSE.Legislative
Records of the
Council, x., 73.House Jour-
nal, p. 18.

Ordered that the Treasurer be directed to purchase the Hanging of two Rooms in the House that was bought for y^e Use of this Province of the Executors of the last Will & Testament of Peter Sergeant Esq^r at the best Rate he can, Not exceeding Twenty Pounds. [*Passed June 18.*]

CHAPTER 47.

VOTE RELATING TO THE BOUNDY LINE BETWEEN DARTM^o LITTLE COMPTON & TIVERTON.

THE FOLLOWING VOTE pass'd in the House of Represent^{ves} upon the Petition of the Proprietors of the Town of Dartmouth; Read & Concur'd viz^t

Legislative
Records of the
Council, x., 73.

Voted that the General Court's Acceptance of the Committees Report Report,¹ Anno 1699, Refers only to the boundary Line between the Town of Dartmouth & the Towns of Little Compton & Tiverton. [*Passed June 18.*]

House Jour-
nal, p. 15.

CHAPTER 48.

ORDER APPOINTING A COM^{TEE} TO PROVIDE A SUITABLE PLACE FOR HIS EXCY COL^o SHUTES RECEPTION.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves} Viz^t

WHEREAS this House hath credible Intelligence that his Excellency Coll Samuel Shute is appointed by his Majesty Governour of this his Majesties Province, And may be soon expected to arrive here;

Legislative
Records of the
Council, x., 73.

Ordered that M^r Speaker, the Represent^{ves} of the Town of Boston, & Coll Samuel Thaxter; with such as the Hon^{ble} Board shall appoint be a Committee to provide a suitable Place for his Excell^{ys} present Reception & Entertainment when he shall arrive, & invite him thereto

House Jour-
nal, p. 18.

Read & Concur'd, And the Honble Wait Winthrop Elisha Hutchinson Sam^l Sewall & Eliakim Hutchinson Esq^r are added to the Committ^{ee} appointed by the Represent^{ves} for the Affair aboves^d. [*Passed June 18.*]

CHAPTER 49.

RESOLVE ALLOWING JOHN GREEN £2 AND £5 DURING HIS NATURAL LIFE.

UPON A MOTION being in Behalf of John Green of Brookfield formerly wounded in the Service against the Indian Enemy, & thereby much bebilited¹ in his Right Hand;

Legislative
Records of the
Council, x., 74.

Resolved that there be allowed & paid & paid¹ out of the publick Treasury to the said John Green Forty shillings at present, And five Pounds per Annum from this time during his natural Life. [*Passed June 18.*]

House Jour-
nal, p. 18.

CHAPTER 50.

RESOLVE ALLOWING £500 TO THE LIGHT HOUSE COM^{TEE}.

Resolved that the Sum of Five Hundred Pounds be further allowed & paid out of the publick Treasury to the Committ^{ee} appointed to take care of the Building a Light House for the finishing that Work. [*Passed June 18.*]

Legislative
Records of the
Council, x., 74.

House Jour-
nal, p. 18.

¹ *Sic.*

CHAPTER 51.

ORDER OF HEARING ON DAN^L BARTLETS PET^N PRAYING FOR A NEW TRIAL.

Legislative
Records of the
Council, x., 74.
House Jour-
nal, p. 20.

UPON READING a Petition of Daniel Bartlet of Mendon, Praying that he may be enabled to have a new Trial of a Cause between him & Nathaniel & Timothy Holloway being without Remedy at the common Law,

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition, That they may be heard before this Court on the second Wednesday of the fall Session, If they have any thing to object Why the Prayer thereof should not be granted. [*Passed June 19.*]

CHAPTER 52.

RESOLVE ALLOWING SAMUEL BILL £20.

Legislative
Records of the
Council, x., 74.
House Jour-
nal, p. 17.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Samuel Bill the Petitioner in full of his Petition.¹ [*Passed June 19.*]

CHAPTER 53.

VOTE ALLOWING BRISTOL COUNTY TREAS^R ACCO^T.

Legislative
Records of the
Council, x., 75.
House Jour-
nal, p. 19.

THE ACCOMPT of the County Treasurer of Bristol from April 15 1715 to April 14. 1716: Allowed in the House of Represent^{ees} Read & Concur'd. [*Passed June 19.*]

CHAPTER 54.

ORDER ON ANN DOWDINGS PETITION PRAYING EXPLANATION OF AN ORDER OF THIS COURT IN REGARD TO A SUIT.

Legislative
Records of the
Council, x., 75.
House Jour-
nal, p. 16.

UPON READING a Petition of Ann Dowding of Boston Widow, Praying an Explanation of the Order of this Court pass'd the 26th of July last on the Petition of Edward White referring to a Suit at Law between the said Parties; In Answer to the Petition on the other Side.

Ordered that the Court that tried the said Cause be enabled to Chancer the same according to Justice & Equity. [*Passed June 19.*]

CHAPTER 55.

ORDER OF HEARING ON DAVID LOVERINGS PETITION PRAYING FOR A NEW TRIAL.

Legislative
Records of the
Council, x., 70.

UPON READING a Petition of David Lovering Citizen & Draper of London by John Marion his Attorney, Praying that he may be Enabled

¹ "For the use of his Island and damage done there by persons ordered on shoar by the Government."—Mass. Archives, cxxiii., 86.

to have a new Trial of a Cause between him & John Kembal Son & sole Executor of John Kembal late of Watertown Dec^d before the Superior Court of Judicature in the County of Middlesex &^c

House Journal, p. 19.

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition, That they may be heard before this Court on Thursday next to shew Reason if any they have why the Prayer thereof should not be granted. [*Passed June 19.*]

CHAPTER 56.

RESOLVE ACCEPTING THE REPORT OF THE COM^{TEE} FOR LAYING OUT A HIGHWAY TO PATUCKET BRIDGE; £10 ALLOWED TO PURCHASE LAND FOR A HIGH WAY TO PATUCKET BRIDGE; £1.4 TO THE COM^{TEE}.

IN PURSUANCE of the within Vote or Order, We the Subscribers on the twenty eighth of May 1716, went to the Bridge at Pantucket, Where we met with the Persons that were interested in the Lands where the High Way should go, & having discours'd with them & view'd the same, Do Report. That a Way of two Rods wide be left on the north Side of the Land belonging to Joseph Buckland jun^r beginning at the foot of the Bridge & so to run thrô the Land of Henry Smith till it comes to said Smiths House being in length ninety two Rods is about two Acres & an half, Only allowing a Turn to be made to the Northward about Fifty Rods from y^e Bridge to Escape a Great Rock, Which Land we are of Opinion is worth Three Pounds per Acre, and the making a Fence the length of s^d Way. if made of Stone Wall, will be worth five shillings per Rod, to be allow'd to the Owner of the said Land, W^h way then to run from s^d Smiths House Northward about a Quarter of a Mile, then Eastward half a Mile, when it will meet with a way that was formerly laid out by Rehoboth, W^h leads into the Country Road. by the great Plain, The Land being two Acres & an half we value at Twenty shillings per Acre without any Charge of Fence Given under our Hands the 14 of June 1716

Legislative Records of the Council, x., 75.

House Journal, p. 19.

NATHANIEL PAYNE }
MOSES READ } Committee
JOHN ROGERS }

Resolved that the Committees Report be so far accepted that the High Way be laid out & settled according thereto, And that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to purchase the Land thereof according to the said Report, And that Twenty four shillings be paid out of the publick Treasury to the said Committee for their Service & Expences. [*Passed June 19.*]

CHAPTER 57.

VOTE ACCEPTING THE COM^{TEES} REPORT AB^T THE LINE BETWEEN THE COUNTIES OF PLYM^o & BRISTOL WHERE IT IS CONTROVERTED.

Province of the Massachusetts Bay Boston June y^e 16. 1716

WHEREAS the General Court of the said Province on the 26th Day of October 1714, on the Petition of the Town of Bridgewater in the County of Plymouth did appoint John Cushing Nath Payne Seth Arnold Moses Reed Jacob Thompson & Samuel Gallop a Committee

Legislative Records of the Council, x., 69.

House Journal, p. 21.

to run the Line between the Counties of Plimouth & Bristol, where it is controverted, Thereupon We the aforesaid Committee repaired to the Line running between the Towns of Taunton & Middleborough, which is the Line between the two Counties, & proceeded upon y^t Line running Northerly from a Place call'd Baiting Brook where the Line has anciently run, And we found diverse Trees which had been anciently mark'd. standing a little Distance from a Brook call'd Meerneed Brook, And from thence continuing the same Course northerly till it came to the said Meerneed Brook, where the Towns of Taunton & Middleborough began to controvert about the Line betwixt them, And having perused the ancient Court Grants Writtings & Papers, & heard the Pleas & Allegations of the Select Men of the Towns of Taunton & Middleborô relating to that Matter, Are humbly of Opinion that from the Station last mentioned, the said Meerneed Brook, as the Brook runs Westerly to the great River called Tetticut River, And from thence the said Great River up Stream till it cometh to a Red Oak Tree mark'd on the Westerly side of the said Great River in the Line formerly settled between the said Towns of Taunton & Bridgewater (& which they still agree in) has been, is, & ought to be the Line & Bounds between the said Towns of Taunton & Middleborough, & between Taunton & the Lands belonging to the Indians at Tittecutt, W^h compleats & finishes the Line between the said two Counties, where we find it controvert'd

JOHN CUSHING, By Order & in behalf
of the Committee

Read & Accepted. [*Passed June 20.*]

CHAPTER 58.

RESOLVE ALLOWING ROWLAND DYKE £14. 3.

Legislative
Records of the
Council, x.,
76.

House Jour-
nal, p. 18.

Resolved that the Sum of Fourteen Pounds three shillings be allowed & paid out of the publick Treasury to Rowland Dyke to discharge his Acc^o of Dining the Assembly. [*Passed June 20.*]

CHAPTER 59.

RESOLVE APPOINTING A COM^{TEE} TO TAKE AN ACCO^T OF DEFACED BILLS OF CREDIT & BURN THE SAME.

Legislative
Records of the
Council, x., 76.

House Jour-
nal, p. 20.

WHEREAS this Court have Ordered the Calling & Exchanging of severall of the Denominations of the Bills of publick Credit on this Province, And many of the Bills that are paid into the Treasury are torn & defac'd, wh^h can be of no Use, but some Hazzard to lodge long in the Treasury;

Ordered that Charles Chambers Esq^r the Represent^{ve} of the Town of Boston, Jonathan Dowse & William Denison Esq^{rs} with such as y^e Hon^{ble} Board shall nominate be a Committee at any Time (between y^a Session & the Session of this Court in May next) when the Treasurer shall have Two Thousand Pounds or more of Bills in the Treasury, that are received in Exchange as aforesaid, or otherwise defaced

& unfit for use, at his Application to them, to take an Account of the number of each of the sorts of the said Bills, & the Sum the whole amounts to, And give the Treasurer a Receipt for them, & burn the said Bills to Ashes, And make a Report of their Doings to this Court as often as there shall be opportunity, Whose Receipt shall be a Discharge to the Treasurer, equal to what the said Bills would have been, if they had continued in his Hands;

And John Clark, Addington Davenport, Thomas Fitch & Adam Winthrop Esq^{rs} of the Council be joyn with the Committee of the House of Represent^{es} for the Affair aboves^d. [*Passed June 20.*]

CHAPTER 60.

RESOLVE RELATING TO THE REGISTRY OF DEEDS.

WHEREAS there is a different Understanding of the Sence of y^e Law; Respecting the Choice of the Register of Deeds in the several Counties, Some apprehending that such Election is not duly perform'd, Unless some one Person have the major part of the Votes, In which Sence, the performing the s^d Election may be very difficult, And require the Assembling of the Inhabitants of the several Towns of the County divers times before such Election is made,

Resolved that the Person that has the greatest Number of Votes for Register, as aforesaid, is duly chosen to that Office. [*Passed June 20.*]

Legislative
Records of the
Council, x., 77.

House Jour-
nal, p. 21.
Province
Laws, ii., 32.

CHAPTER 61.

ORDER ALLOWING NORTHFIELD TEN MEN IN THE PUBLIC PAY.

Ordered that ten Men in the publick Pay be allowed for the Covering & Encouragement of the Plantation of Northfield untill the Session of this Court in the next Fall, Who are not to be of the Inhabitants there. [*Passed June 20.*]

Legislative
Records of the
Council, x., 77.

House Jour-
nal, pp. 13, 21.

CHAPTER 62.

ORDER ON JON^A & BENJ^A HEADS PET^N, GRANTING THEM A NEW TRIAL.

UPON READING a Petition of Jonathan Head & Benjamin Head of Little-Compton, Setting forth that they had appeald in two Actions from the Judgment of the Inferior [Court] of Common Pleas holden in Bristol to the Superior Court of Judicature, & left their Reasons of Appeal three Days before the time limited by the Law with the Clerks Wife of the said Inferior Court who promiss'd to deliver the same to her Husband not then at Home, but neglected it till within Thirteen Days before the Court, by which their Reasons of Appeal were quash'd, & Judgment was affirm'd against them, Praying Relief therein

Ordered that the Petitioners be admitted to a new Trial of their several Actions mentioned in this Petition at the next Superior Court to be holden for & within the County of Bristol, They filing Reasons of Appeal according to Law, And that the adverse Party be served with a Copy of this Petition, & Order that they may have timely Notice thereof. [*Passed June 20.*]

Legislative
Records of the
Council, x., 77.

House Jour-
nal, p. 24.

CHAPTER 63.

ORDER ON WORCESTER PETⁿ IN REGARD TO ASSESSMENT OF NON-RESIDENTS.

Legislative
Records of the
Council, x., 79.

House Jour-
nal, p. 22.

UPON READING a Petition of the Committee appointed to direct & forward the Settlement of the Town of Worcester, Praying that the Lands of y^e Non-Resident Proprietors of the said Town may be made subject & liable to Taxes for three years next coming as the Lands of the Resident Proprietors are.

Ordered that the Prayer of the Petition be so far granted, That y^e Home Lotts of the Non Resident Proprietors shall be subject & liable to Taxes for three Years next coming equally with the Home Lotts of the Resident Proprietors, The Poll Tax of the Residents not to be less than five shillings, The said Taxes to be apportioned & rais'd by the Committee, If the Inhabitants shall not be able to act as a Town. [*Passed June 21.*]

CHAPTER 64.

Legislative
Records of the
Council, x., 80.

Executive
Records of the
Council, vi.,
473. House
Journal, p. 24.

VOTE FOR VICTUALLING THE GARRISON AT CASTLE WILLIAM FOR THE YEAR 1716.

Ordered that four shillings & six pence per Man per Week be allow'd to Cpt Zeheriah Tuthill for Victualing the Men at Castle William for the Year ensuing. [*Passed June 22.*]

CHAPTER 65.

ORDER ABATING FREIGHTERS & OWNERS OF THE SHIP HOPEWELL THE DUTIES OF IMPOST ON THE GOODS DAMNIFIED.

Legislative
Records of the
Council, x., 80.

House Jour-
nal, p. 24.

UPON READING the Petition of the Freighters & Owners of the Cargo of the Ship Hopewell Benjamin Clark Master Setting forth that the said Ship in her Voyage from Barbadoes to Boston was on or about the seventh of April last in dark weather cast on Shore at or near Scituate in the County of Plimouth in this Province, & was there broken to Pieces & lost, whereby the Goods on board s^d Ship have receiv'd considerable Damage, & a great part utterly spoiled, Praying that the Duty of Impost on the said Goods may be abated & taken off;

Ordered that the Prayer of the Petition be granted,¹ and that the Duties of Impost be abated to the Subscribers & those alike concern'd in the said Ship. [*Passed June 22.*]

CHAPTER 66.

ORDER FIXING THE DENOMINATION OF BILLS TO BE ISSUED, AND SUBSTITUTING ADAM WINTHROP ESQ. FOR SAMUEL SEWALL ESQ ON THE COMMITTEE.

Legislative
Records of the
Council, x., 81.

Ordered that the Five Thousand Pounds of Bill[s] of Credet directed to be made this Session be made, One Thousand Pounds thereof upon

¹ The words "be granted," omitted in the Secretary's copy, are found in the State Library one and in the House Journal.

y^e new middle Plate, that contains the, Three Five; Ten, & Twenty shillings Bills, And Four Thousand Pounds thereof on the highest Plate, that contains Thirty, Forty, Sixty, & One Hundred Shilling Bills;

And whereas the Hon^{ble} Samuel Sewall Esq^r has desired to be dismiss'd out of the Committee for making the said Bills, That the Hon^{ble} Adam Winthrop Esq^r be of the said Committee in his Place. [*Passed June 23.*]

House Journal, p. 24.
Province Laws, ii., 69.
Sewall's Diary, iii., 87, 88, 89.

CHAPTER 67.

RESOLVE FOR PRINTING & EMITTING £5,000 IN BILLS OF CREDIT AND PROVIDING SECURITY.

Resolved that the Sum of Five Thousand Pounds of Bills of publick Credit on this Province be further & forthwith made by the Committee last appointed by this Court to make such Bills, who shall be paid for their making them in the same Proportion as they were for the last made, That y^e said Committee deliver the said Bills to the Treasurer taking his Receipt for the same,

Legislative Records of the Council, x., 81.

And the Treasurer is hereby directed & impowered to Issue forth & Emitt the said Sum of Five Thousand Pounds, for the Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government, & the necessary Protection & Preservation of the Inhabitants of y^e Province & for the subsisting of Forts & Garisons & Wages arising for their Service, for for¹ Payments of Grants Salaries & Allowances made & to be made by y^e Court, According to such Draughts as from time to time shall be made upon him by Warrant or Order of the Govern^r or Commander in Cheif for the time being, by & with the advise & consent of the Council; And the said Bills shall pass out of the Treasury at the value therein express'd. equivalent to Money, And sh^{ll} be taken & accepted in all publick Payments at the advance & after the Rate of Five Pounds p^p Cent more;

House Journal, p. 20.
Province Laws, ii., 70.
Sewall's Diary, iii., 87, 88.

And as a Fund & Security for the same, There be & hereby is Granted to his mose¹ Excellent Majesty to the Ends & Uses afores^d a Tax of Five Thousand Pounds to be levied on Polls & Estates both Real & Personal within y^e Province according to such Rules & in such Proportions upon the several Towns & Districts within the same as shall be agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May Anno. (1719) One Thousand seven hundred & nineteen, & paid into the Treasury on or before the last Day of December next after. [*Passed June 23.*]

CHAPTER 68.

ORDER ON THE REV^p NEH WALTERS &c. PETⁿ RELATING TO M^r BELLS
LEGACY TO ROXBURY SCHOOL.

UPON READING a Petition of Nehemiah Walter Pastor & John Payson & John Mayo Deacons of the Eldest Church in Roxbury, Praying the Courts remedy the great Inconvenience, which the School in the said Town labours under by the Leasing of the Lands given towards the Maintenance of the said School in & by the last Will & Testament of M^r Thomas Bell late of London Dec^d at a low Rate for the Term of Five Hundred Years, whereby (they humbly concieve) the pious Intention of the Donor is in a great Measure frustrated;

Legislative Records of the Council, x., 82.

House Journal, p. 25.

¹ Sic.

Ordered that the Petition^r cause the adverse Party to be served with a Copy of this Petition that they may be heard before this Court on the first Fryday of the next Session. [*Passed June 25.*]

CHAPTER 69.

RESOLVE ALLOWING £50 TO THE KEEPER OF THE LIGHTHOUSE.

Legislative
Records of the
Council, x., 83.
House Jour-
nal, p. 24.
Province
Laws, ii., 32.

Resolved that the Sum of Fifty Pounds be allowed & paid out of y^e Publick Treasury for the Hire of a Person to take care of the Light House for the first Year, to begin when the Lights are sett & kept up;

And the Committee appointed to take care of the building the Light House are desired to procure a suitable Person to keep it. [*Passed June 25.*]

CHAPTER 70.

ORDER GRANTING TO MESS^{rs} FITCH CHAMBERS CAREY & OTHERS, A CONTINUATION OF THE LOAN.

Legislative
Records of the
Council, x., 83.
House Jour-
nal, p. 25.

UPON READING the Petition of Thomas Fitch Esq^r Mess^{rs} Nath^l Carey, Sam^l Greenwood, Charles Chambers, & Oliver Noyes. of Boston Merchants, Praying a longer continuance of the Loan of the Sum of Three Thousand Eight hundred & twelve Pounds eight shillings & seven pence (Part of the Loan for setting forth the late intended Expedition for Canada) for one Year more,

Ordered that the Prayer of the Petition be granted. [*Passed June 25.*]

CHAPTER 71.

ORDER REFERRING TO THE NEXT SESSION THE PETITION OF A COMMITTEE OF THE TRUSTEES OF THE HOPKINS LEGACY, &c.

Legislative
Records of the
Council, x., 83.
House Jour-
nal, p. 25.

UPON READING a Memorial of Samuel Sewall, John Leverett & Thomas Fitch Esq^{rs} & M^r Daniel Oliver Merch^t a Committee appointed by the Trustees for the Improvment of M^r Hopkins's Legacy, Praying that the Fee of the Lands in Hopkinton which has been reserved to the Province may be vested in the said Trustees to promote the pious Designs of the said Plantation, And that Persons may be forbidden taking up the Meadows. & Making Strip & Wast of the Trees & Timber there

Ordered that the said Memorial be referr'd to the next Session for Consideration, And the said Trustees are hereby requested & empower'd to take care in Behalf of the Province to prevent any Strip or Waste on the Lands belonging to the Province lying in Hopkinton by prosecuting the Offenders according to the Laws in that case Provided. [*Passed June 26.*]

CHAPTER 72.

VOTE ACCEPTING SUFFOLK COUNTY TREAS^r ACCO^t.

Legislative
Records of the
Council, x., 84.
House Jour-
nal, p. 26.

THE ACCO^{UNT} of Jeremiah Dummer Esq^r late Treasurer of the County of Suffolk from June 23. 1715: to May 2 1716: Allowed by the Represent^{ves}

Read & Concur'd. [*Passed June 26.*]

CHAPTER 73.

RESOLVE GRANTING TO NATH^l HENCHMAN CONTINUATION OF LOAN.

UPON READING a Petition of Nathaniel Henchman of Boston Merch^t Setting forth that he receiv'd of the Ten Thousand Pounds Loan of Province Bills Anno 1711, the Sum of Fourteen Hundred Pounds, Wh^h he disburs'd to pay off Transports that were taken up on her late Majestys Acc^o in the Expedition to Canada y^e same Year, And took Bills p^p Excha on the Lord High Treasurer of Great Britain for the same to the Sum of Nine Hundred ninety six Pounds eighteen shillings & eight pence Sterl^s at thirty Days sight, But no Part of the said Bills is yet paid, Praying the continuance of the said Loan for one Year more;

Resolved that the Prayer of the said Petition be Granted. [*Passed June 26.*]

Legislative
Records of the
Council, x., 84.
House Jour-
nal, p. 26.

CHAPTER 74.

RESOLVE GRANTING TO THO^s PALMER, EDW^d LYDE ESQ^r &c. A CONTINUATION OF THE LOAN.

UPON READING a Petition of Thomas Palmer Edward Lyde & twenty three others Merch^{ts} &c To whom this Court lent of the Bills of publick Credit Anno 1711, to Enable them to supply the British Troops designed on an Expedition against Canada, for which Supply they receiv'd from the General & Admiral of the s^d Expedition Bills of Exchange on the Lord High Treasurer of Great Britain; Setting forth, That as yet no more than two thirds of the said Bills are paid, Praying that the Loan of One third Part of the said Bills of Credit that are outstanding in their hands may be continued to them for one Year more, in which time they are in Hopes to obtain the Payment of the remaining third Part of the said Bills of Exchange., The Parliament having lately taken the same into consideration

Resolved that the Prayer of the Petition be granted in Behalf of the Pe[ti]tioners & others alike concern'd. [*Passed June 26.*]

Legislative
Records of the
Council, x., 84.
House Jour-
nal, p. 26.

CHAPTER 75.

RESOLVE ANNEXING TO THE COUNTY OF YORK LANDS & SETTLEMENTS WITHIN THIS PROVINCE TO THE EASTWARD OF THE PROV OF MAINE.

Resolved that for the more convenient Administration of Justice, all the Lands Families & Settlements within this Province to the Eastward of the Province of Main shall be annexed to the County of York & shall be Part of the same to all Intents & Purposes untill this Court shall take further Order; Any Law Usage or Custom to the contrary notwithstanding. [*Passed June 26.*]

Legislative
Records of the
Council, x., 84.
House Jour-
nal, p. 26.

CHAPTER 76.

RESOLVE GRANTING TO AND^w & JON^a BELCHER A CONTINUATION OF THE LOAN.Legislative
Records of the
Council, x., 84.House Jour-
nal, p. 26.

UPON READING a Petition of Andrew Belcher Esq^r & Jonathan Belcher Merch^{ts} of Boston, Praying that Fourteen Hundred Pounds, Part of the Sum lent to them in Bills of Credit out of the publick Treasury Anno 1711, To assist them to furnish Stores to General Hill & Admiral Walker for the Army & Fleet under their Command bound on an Expedition to Canada may be lent to them for one Year more;

Resolved that the Prayer of the Petition be granted. [*Passed June 26.*]

CHAPTER 77.

ORDER CONFIRMING TO THE CHILDREN OF JOHN HAYNES TITLE TO 1686 ACRES OF LAND.

Legislative
Records of the
Council, x., 85.
Mass.
Archives,
cxcliii., 20.House Jour-
nal, p. 27.

UPON READING a Petition of David Haynes for himself & the rest of y^e Children of John Haynes formerly of Sudbury Dec^d, Praying the Court to confirm to them a Plat of One Thousand six hundred & eighty six Acres of Land thereto annexed, taken pursuant to the Order of this Court in June last by William Ward Surveyour & Chain Men under Oath;

Ordered That the Prayer of the Petition be Granted, Provided It Interfere with no other Grants. [*Passed June 26.*]

CHAPTER 78.

ORDER APPOINTING A COM^{TEE} IN THE RECESS OF THE COURT TO CONSIDER THE REPORT OF THE COM^{TEE} FOR PROMOTING TRADE &c.Legislative
Records of the
Council, x., 85.House Jour-
nal, p. 27.

THE FOLLOWING ORDER pass'd in the House of Represent^{ves} viz

Ordered that Elisha Cook, Charles Chambers, Anthony Stoddard Esq^{rs} & Cpt John Gardner with such as the Hon^{ble} Board shall appoint be a Committee in the Recess of this Court to consider of the Report of the Committee of both Houses for Promoting the Produce & Trade of this Province, wherein is projected the Making & Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit; And prepare & lay before the Court at their next Sessions the Draught of a Bill such as they shall think proper for^E this Court to Enact thereupon

Read & Concur'd; And Addinⁿ Davenport Esq^r Major Thomas Fitch and Coll Adam Winthrop be join'd to the Committee for the Affair afore-said. [*Passed June 26.*]

^a *Sic.*

CHAPTER 79.

RESOLVE ALLOWING £250 TO HIS HONOUR THE L^T GOV^R.

Resolved that the Sum of Two Hundred & Fifty Pounds be allow'd & paid out of the publick Treasury to his Honour William Tailer Esq^r Leiv Gov^r & Commander in Cheif of this his Majestys Province for his Support in managing the Affairs of the Governm^t. [*Passed June 27.*]

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 27.

CHAPTER 80.

RESOLVE ALLOWING £300 TO THE HON^{BLE} JUDGES OF THE SUP^R CT.

Resolved that the Sum of Three Hundred Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superior Court of Judicature, in Proportion to the Courts they attended the last year. [*Passed June 27.*]

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 27.

CHAPTER 81.

RESOLVE ALLOWING £90 TO M^R SECR^y WOODWARD.

Resolved that the Sum of Ninety Pounds be allowed & paid out of the publick Treasury to Samuel Woodward Esq^r Secretary of this his Majestys Province in consideration of his extraordinary Charge & Trouble in Posting up the Books of his office that were six months behind when he came to the Office, & other his extraordinary services the year current, for which he has been necessitated to imploy severall Persons. [*Passed June 27.*]

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 28.

CHAPTER 82.

RESOLVE ALLOWING £40 TO M^R PRESID^T LEVERETT.

Resolved that the sum of Forty Pounds be added to the Allowance of the Rev^d M^r John Leverett President of Harvard College for the Year currant beginning in January last, & paid to him out of the publick Treasury. [*Passed June 27.*]

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 28.

CHAPTER 83.

RESOLVE ALLOWING £220 TO M^R TREAS^R ALLEN.

Resolved that the Sum of Two Hundred & twenty Pounds be allowed & paid out of the publick Treasury to M^r Jeremiah Allen Treasurer of this Province for his service the year past, his Trouble being extraordinary in exchanging the Bills of Credit, & taking care for the supply of the Garrisons. [*Passed June 27.*]

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 28.

CHAPTER 84.

RESOLVE ALLOWING £20 TO M^r JOHN WHITE.

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 28.

Resolved that the sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in part for his service the Year currant. [*Passed June 27.*]

CHAPTER 85.

RESOLVE ALLOWING £20 TO M^r JOHN FLAGG.

Legislative
Records of the
Council, x., 86.
House Jour-
nal, p. 28.

Resolved that the sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John Flagg Door-Keeper to his Honour the Leiv^t Govern^r & this Court for his Service Half a Year ending Yesterday. [*Passed June 27.*]

CHAPTER 86.

RESOLVE ALLOWING £3. 7 TO M^r JOSEPH MARION.

Legislative
Records of the
Council, x., 86.
Executive
Records of the
Council, vi.,
448. House
Journal, p. 28.

AN ACCOMPT of Joseph Marion of Writing done by him this Session for the House of Represent^{ves} Amounting to the Sum of three Pounds seven shillings, Presented for Payment, Read &

Resolved that the Sum of Three Pounds & seven shilling be allowed and paid out of the publick Treasury to M^r Joseph Marion to discharge the said Accompt. [*Passed June 27.*]

CHAPTER 87.

RESOLVE ALLOWING £22. 17. 6 TO M^r BARTH^o GREEN.

Legislative
Records of the
Council, x., 87.
Executive
Records of the
Council, vi.,
480. House
Journal, p. 28.

AN ACCOMPT of Bartholemew Green for Printing the Journal of y^e House in their Sessions begun in May, July, & August the last Years, Paper &c Amounting to the Sum of twenty two Pounds seventeen shillings & six pence, Was Presented for Payment, Read &

Resolved that the Sum of Twenty two Pounds seventeen shillings & six pence be allowed & paid out of the Publick Treasury to M^r Bartholemew Green Printer to discharge the said Accompt. [*Passed June 27.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FIRST DAY OF AUGUST, A.D. 1716.

CHAPTER 88.

ORDER FOR LAYING OUT LAND FOR A FREE SCHOOL IN DORCHESTER.

UPON READING a Petition of the Town of Dorchester by Thomas Tilestone, Samuel Paul, & Hopestil Humphreys Select Men, of the said Town, Praying that a Surveyour may be appointed to lay out One Thousand Acres of Land granted by the General Court to the said Town in the Year 1659, for the Use of a Free School, which has not as yet been laid out;

Ordered that the Prayer of the Petition be granted to Dorchester that then was when the Grant was made, Provided the said Grant has not been already laid out. [*Passed August 2.*]

Legislative
Records of the
Council, x., 88.
House Jour-
nal, p. 30.

CHAPTER 89.

ORDER REFERRING TO THE FALL SESSION THE CONSIDERATION OF
THE BILL PREPARED IN THE RECESS OF THIS COURT FOR THE
MAKING £100,000.

CONSIDERING the great Weight & Importance of the Subject Matter of the Bill prepared in the Recess of this Court by a Committee of both Houses, And that the Affairs of the Husbandry are at this time so pressing that this House can with no conveniency continue sitting so long as is needful duly to deliberate & digest the same,

Ordered that the further consideration of y^e said Bill be referr'd to the session of y^s Court at the next fall. [*Passed August 2.*]

Legislative
Records of the
Council, x., 89.
House Jour-
nal, p. 30.

CHAPTER 90.

VOTE APPOINTING A THANKSGIVING.

Voted that a Publick Thanksgiving be kept t[h]roughout y^s Province upon Thursday the Twenty third of August Currant for the Success of his Majesties Armes in suppressing the late horrid & unnatural Rebellion, And that a Proclamation be issued out accordingly. [*Passed August 2.*]

Legislative
Records of the
Council, x., 89.

Executive
Records of the
Council, vi.,
495. House
Journal, p. 31.
Love's Fast
and Thanks-
giving Days
of New Eng-
land, p. 488.

CHAPTER 91.

RESOLVE ALLOWING £400 FOR THE LIGHTHOUSE.

Legislative
Records of the
Council, x., 90.
House Jour-
nal, p. 31.

UPON A MOTION being made by Mr Payne, that a further Sum is requisite to be granted for the finishing the Light House Ordered to be built at the Entrance of the Harbour of Boston;

Resolved that the Sum of Four Hundred Pounds be further allowed & paid out of the publick Treasury to the Committee appointed to take Care of the Building of the said Light House for the finishing of that Work. [*Passed August 3.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE SEVENTH DAY OF NOVEMBER, A.D. 1716.

CHAPTER 92.

ORDER APPOINTING A COMMITTEE TO CONSIDER THE MATTER OF A MEDIUM
OF TRADE.

Order'd that John Stoddard Esq^r M^r Thomas Turner, Daniel Parker Esq^r M^r Daniel Rogers John Rogers Esq^r William Payne Esq^r & M^r John Ward with such as the Hon^{ble} Board shall appoint be a Committee to consider that Paragraph in his Exc^ys Speech, W^h relates to a Medium of Trade, And Report what they think proper to be done by this Court thereon.

Legislative
Records of the
Council, x., 95.
House Jour-
nal, p. 35.

[In Council,

Read and concurred]

And the Hon^{ble} Eliak^m Hutchinson Penn Townsend John Appleton, Andrew Belcher & Sam^l Brown Esq^{rs} are added to the Committee for the Affair above said. [*Passed November 9.*]

CHAPTER 93.

ORDER ON ARTHUR SAVAGE'S PETITION, GRANTING A NEW TRIAL.

UPON READING a Petition of Arthur Savage of Boston Mariner, Praying that he may be Enabled to amend a Mistake in his Reasons of Appeal from a Judgment of the Inferior Court of Common Pleas held in Boston for the County of Suffolk to the Superior Court of Judicature in a case between him & John Oulton & Cornelius Waklo, whereby he is barr'd from any further Tryal in the Law & stands oblige'd to pay the Sum of One Hundred & eighty four Pounds twelve shillings & three pence farthing to his great wrong, And that he may be admitted to prosecute his Appeal to the Superior Court now sitting in Boston, To which he appeal'd;

Legislative
Records of the
Council, x., 95.
House Jour-
nal, p. 34.

Ordered that the Prayer of this Petition be granted. [*Passed November 9.*]

CHAPTER 94.

ORDER APPOINTING A COMMITTEE TO CONSIDER THE DIFFERENCES
BETWEEN IPSWICH AND CHEBACCO.

UPON READING a Petition of Nathaniel Goodue & Thomas Choat in Behalf of the Precinct of Chebacco; Praying that their Bounds may be confirm'd & sett off by the Town of Ipswich, Or that Col^o Higginson,

Legislative
Records of the
Council, x., 95.

House Journal, p. 35.

Cpt John Gardner, & M^r Samuel Balch may be impowered to arbitrate their Differences, or that they may have another hearing before this Court

Ordered that the Prayer of the Petition be so far granted. As that the Hon^{ble} John Higginson Esq^r Cpt John Gardner & M^r Samuel Balch be a Committee to go upon the Place, Hear & Consider the Differences between the two Precincts, & make Report to this Court how they think they ought to be issued & settled; And to consider the Petition of Edwa^d Bishop & Thomas Knolton, & make Report what they think most convenient for to be done in Answer thereto. [*Passed November 9.*]

CHAPTER 95.

RESOLVE ALLOWING £20 TO REV. SAMUEL HUNT OF DARTMOUTH.

Legislative Records of the Council, x., 96.

House Journal, p. 36.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to the Rev^d M^r Samuel Hunt Minister of the Town of Dartmouth towards his Support for the Year Currant. [*Passed November 9.*]

CHAPTER 96.

ORDER GRANTING THE PETITION OF WILLIAM BROWN, A SLAVE, THAT HE BE SET FREE ON CERTAIN CONDITIONS.

Legislative Records of the Council, x., 96.

House Journal, p. 36.

UPON READING a Petition of William Brown Son of a Free Man by a Servant Woman, & has been sold as a Slave, & is at present own'd by M^r Andrew Boardman, Setting forth that his said Master will sett him at Liberty & make him free, if this Court will indemnifie him from the Law relating to the Manumission of Negroes, as to maintaining of him in case of Age Disability &c, Praying the Court to indemnifie him: In as much as the Petitioner is a young able bodied Man, & it cannot be suppos'd that he is manumitted by his Master to avoid Charge in supporting him;

Ordered that the Prayer of the Petition be granted, And that the Petitioner be deem'd free when sett at Liberty by his Master, Altho no Security be given to Indemnify the Town where he dwells from Charge by him, And in case the Petitioner shall hereafter want a Support, his said Master shall not be oblig'd to be at the charge thereof, Any Law Usage or Custom to the contrary notwithstanding.¹ [*Passed November 10.*]

CHAPTER 97.

ORDER OF HEARING ON COHASSET PETITION FOR A NEW PRECINCT.

Legislative Records of the Council, x., 94.

House Journal, p. 36.

UPON READING a Petition of Daniel Lincoln & twenty others of that Part of Hingham called Cohasset or Little Hingham, Praying that a Committee may be sent to view their Lands & Dwellings in order to their having a Precinct sett off to them;

Ordered that the Petitioners serve the Town of Hingham with a Copy of this Petition, That they may be heard before this Court on Tuesday the Twentieth currant; If they have ought to object why the Prayer thereof should not be granted. [*Passed November 10.*]

CHAPTER 98.

RESOLVE ALLOWING £36. 4 FOR THE EXPENCE OF THE GOV^{RS} RECEP-
TION.UPON Y^E ACCOMPT of the Committee appointed for his Ex^{CS} Recep-
tion,*Resolved* that the Sum of Thirty six Pounds & four shillings be
allowed & paid out of the publick Treasury to M^r William Payne
to discharge the above Accompt. [*Passed November 13.*]Legislative
Records of the
Council, x., 97.
House Jour-
nal, p. 37.

CHAPTER 99.

ORDER ACCEPTING THE COM^{TEES} REPORT OF BURN^G UNSERVICEABLE
BILLS OF CREDIT.IN OBEDIENCE to the Order of the Great & General Court at their
Session in May last appointing us the Subscribers a Committee to take
an Accompt of torn & defac'd Bills of Credit &^c We have accordingly
receiv'd of M^r Treasurer Allen Nine Thousand Pounds Neet Province
Bills, Which, as he informs, was to compleat the Forty Thousand Pounds
granted by the General Assembly at their Session in May One Thousand
seven Hundred & fourteen for the Drawing in & Exchanging Province
Bills of Credit of the several Denominations that were discover'd
to have had Counterfeit false Plates, & those Province Bills that were
torn, wornout & render'd unserviceable. The Nine Thousand Pounds
mentioned on y^e other side, We have consum'd to Ashes: As Witness
our hands this twenty fifth Day of September 1716:

ANTH STODDARD.

CHA CHAMBERS

JON^A DOWSE

OLIV NOYES.

ELIS^A COOKWILL^A PAYNE

ADD DAVENPORT

THO^S HUTCHINSON

ADD WINTHROP

Legislative
Records of the
Council, x., 97.
House Jour-
nal, p. 37.*Ordered* that the above Report be accepted, & that the Treasurer be
discharg'd of the Sum of Nine Thousand Pounds. [*Passed November 13.*]

CHAPTER 100.

ORDER ON JOHN & BENJ^A HEADS PETITION, GRANTING A NEW TRIAL.UPON READING a Petition of Jonathan & Benjamin Head of Little
Compton, Praying that they may have the favour of the Benefit, wh^h
this Court intended them by the Order on their Petition pass'd the
twenty second of June last, Which they are depriv'd of by Reason
the Scribe, who drew their said Petition mistook, in Reciting some
Circumstances of their Actions, And that they may be enabled to
amend such Mistakes, & have a Tryal of their Actions at the next
Superior Court of Judicature to be holdon at Bristol*Ordered* that the Prayer of y^e Petition be granted. [*Passed Novem-
ber 13.*]Legislative
Records of the
Council, x., 98.
House Jour-
nal, p. 38.

Legislative
Records of the
Council, x., 99.

Legislative
Records of the
Council, x., 95.
House Jour-
nal, p. 85.
Love's Fast
and Thanks-
giving Days of
New England,
p. 488.

CHAPTER 101.

VOTE APPOINTING A PUBLICK THANKSGIVING.

A PROCLAMATION for a publick Thanksgiving to be celebrated on Wednesday the sixth of December next, Was brought in & Read & Advised to, And sign'd by his Excellency the Governor.¹ [*Passed November 13.*]

CHAPTER 102.

ORDER OF HEARING ON THE PETITION OF JOHN PUNKER ON BEHALF OF NANTUCKET INDIANS.

Legislative
Records of the
Council, x., 99.

House Jour-
nal, p. 38.

UPON READING a Petition of John Punker Indian Inhabitant of the Island of Nantuckett in Behalf of himself, & the other Indians of the said Island Setting forth, That they suffer great Injustice & Oppression from some of their English Neighbours, Praying this Court to appoint them a Gaurdian, And that the said Island may no longer continue a County by itself, but be annex'd to some other County;

Ordered that the Petitioners serve the Inhabitants of Nantuckett with a Copy of this Petition, That they may be heard before y^e Court on the second Fryday of the Sessions in May next in Answer to y^e Complaints therein, & to shew Reason if any they have Why the Prayer of the Petition should not be Granted: And Peter Thacher Esq^r & M^r Benjamin [Haws?] are desired & appointed to go to the said Island, & enquire into y^e Matters of Greivance complain'd of, & more especially their Whaling & Assist the Inhabitants in Making a proper Representation thereof to y^e Court; And M^r Experience Mayhew is appointed with the other Persons abovenam'd to inquire into the Affair afores^d. [*Passed November 14.*]

CHAPTER 103.

ORDER OF HEARING ON STEPHEN PEAS'S PETITION, COMPLAINING OF OVER ASSESSMENT OF TAXES.

Legislative
Records of the
Council, x., 99.

House Jour-
nal, p. 38.

UPON READING a Petition of Stephen Peas of y^e Island of Nantuckett Setting forth that he was rated the last year the Sum of Three Pounds, & twelve shillings more than by Law he ought to have² been by the Assessors of the said Island, & upon Application to the Justices of the General Sessions of the Peace for Remedy could obtain none, Praying to be releiv'd:

Ordered that a Hearing be granted on this Petition upon the second Fryday of the Sessions of this Court in May next, And that the Petitioners serve the Assessors of Nantucket with a Copy thereof, Who are hereby directed to attend this Court at the said time with an attested List of y^e s^d Assesment refer'd to in y^e Petition. [*Passed November 14.*]

¹ According to Legislative Records of the Council, x., 95, "the first *Thursday* in December" was designated by the legislature as the day for thanksgiving.

² Originally written "pay"; then corrected to "have." See State Library copy of Legislative Records of the Council, x., 111.

CHAPTER 104.

ORDER APPOINTING A COMMITTEE IN REGARD TO INSTRUCTION OF THE EASTERN INDIANS.

UPON READING the several Papers relating to y^e Eastern Indians

Voted that inasmuch as Providence seems now to give us a more favourable Oppertunity than heretofore of Offering to Instruct the Eastern Indians in Religion & Learning, W^h has been one professed Intention of our Ancestors Settling in this Land, & is the surest way to fix them in our Interest; That it be earnestly Recommended to the House to project a method for the Effecting the same; Read &

The following Order pass'd in the House of Represent^{ves} Read & Concur'd viz

Ordered that Oliver Noyes & John Stoddard Esq^{rs} & M^r Joseph Hammond with such as the Hon^{ble} Board shall nominate be a Committee to consider & propose such Method as they think will best advance the good design abovementioned: And the Hon^{ble} John Higginson & Adam Winthrop Esq^r be joined of the Committee for the Affair aforesaid. [*Passed November 15.*]

Legislative
Records of the
Council, x.,
100.

Legislative
Records of the
Council, x., 99.
House Jour-
nal, p. 39.

CHAPTER 105.

RESOLVE ALLOWING £20 TO BENJAMIN QUINBY, A CAPTIVE REDEEMED FROM THE INDIANS.

UPON READING a Petition of Benjamin Quinby of Amesbury, Praying, That the Sum of Thirty Pounds may be paid out of the publick Treasury, Which he prevail'd with Cpt Gyles to pay to Redeem him out of the hands of the Indians, with whom he had been a Captive four Years being taken when in the Service under Cpt Lane in the last War.

In Consideration of the Distressing Circumstances of y^e Petitioner

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Cpt Henry True for the use of the s^d Quinby the Petitioner. [*Passed November 16.*]

Legislative
Records of the
Council, x.,
101.

House Jour-
nal, p. 40.

CHAPTER 106.

RESOLVE ALLOWING NATH^l FADRE £10. 2. 6 FOR LOSSES IN THE PUBLIC SERVICE.

[UPON THE PETITION of Nath^l Fadre Pilot Extra to his Maj^{ties} Station Ships],

Resolved that the Sum of ten Pounds two shillings & six pence be allowed & paid out of the publick Treasury in full for the Loss he has sustain'd in y^e publick Service. [*Passed November 16.*]

Legislative
Records of the
Council, x.,
101. Mass.
Archives,
cxxxiii., 89.

Legislative
Records of the
Council, x., 96.
House Jour-
nal, p. 40.

CHAPTER 107.

ORDER CONFIRMING TO JOHN KEYES AND OTHERS TITLE TO A TRACT OF LAND IN MARLBOROUGH BOUGHT BY THEM OF THE INDIANS.

Legislative
Records of the
Council, x.,
102.

House Jour-
nal, p. 40.

UPON READING a Petition of John Keyes, Eleazer Taylour, & Abraham Eagar in Behalf of the Owners & Possessors of a Tract of Land in Marlborô formerly called Agaganquamasset, Containing about Five Thousand eight hundred Acres, wherein are settled about Thirty Families; The Indian Title to which Land they purchas'd without the Approbation of y^e General Court, being about the time of S^r Edmund Andross's Governmt Praying y^r said Purchase may be now approv'd, & their Title fully confirm'd

Inasmuch as the General Court by their Vote pass'd June 19th 1658, Directed that the English Plantation, since call'd Marlborô, should have the Tender of the Lands mention'd in the Petition, when they should allow the Indians to sell them;

Ordered that the Prayer of the Petition be granted, And the Purchase the Petitioners & their Predecessors have, made of the said Lands from the Indians be not annul'd or invalidated by Reason of their not having the Consent of the General Court, But the said Purchase is hereby allow'd approv'd & confirm'd; Provided that this Grant do not interfere with any former Grant of y^s Court. [*Passed November 16.*]

CHAPTER 108.

RESOLVE ALLOWING HUGH PIKE £15 BECAUSE OF A WOUND RECEIVED IN THE PUBLIC SERVICE.

Legislative
Records of the
Council, x.,
102.

House Jour-
nal, p. 40.

UPON READING a Petition of Hugh Pike, Setting forth that he receiv'd a Wound in the publick Service against the Indian Enemy, & is now under cure for the same, where by he is not able to support himself & Family, And Praying Relief,

Resolved that the sum of Fifteen Pounds be allowed & paid out of the publick Treasury to Hugh Pike the Petitioner for his Relief. [*Passed November 16.*]

CHAPTER 109.

ORDER ON CAPT. CYP. SOUTHACKS MEM^o FOR ENGRAVING A CHART OF THE COAST.

Legislative
Records of the
Council, x.,
102.

House Jour-
nal, p. 40.

UPON READING a Memorial of Cpt Cyprian Southack, Setting forth that he has drawn a Chart of this Coast from New York to Quebeck, And Proposing that it may be cut on a Plate at the publick Charge, for the service of the Navigation, And when so many Copys are taken off as y^e Government pleases, the Plate may be given to him,

Ordered that the Prayer thereof be granted, And William Payne Esq^r is desir'd to take care to have the Plate engraven. & to have a Copy thereof taken for each Member of y^s Court, And then to deliver the Plate to Cpt Southack for his own use; Provided that One Hundred & fifty of the said Charts be reserved for the use of the s^d Court. [*Passed November 16.*]

CHAPTER 110.

ORDER OF HEARING ON THE PETITION OF JOS. ANGER &c. OF FRAMINGHAM, FOR AN APPEAL FROM A SENTENCE FOR FELONY.

UPON READING a Petition of Joseph Anger John Parmeter, Josiah Wood, & Thomas Wood of Framingham, Setting forth that upon the Complaint of Enoch Cleverland of the s^d Town made to M^r Justice How of Marlborough they were unjustly sentenced as guilty of feloniously taking away Corn &c And the s^d Justice How when they demanded an Appeal to the Court of General Sessions in the County. Refus'd to grant it to them, Praying this Court to releive them, And Order y^t an Appeal be granted them to y^e next Court of General Sessions of y^e Peace in y^e County of Midlesex

Legislative
Records of the
Council, x.,
103.Legislative
Records of the
Council, x.,
111 *bis*, 122 *bis*.
House Jour-
nal, p. 41.

Ordered that a Hearing be granted on y^s Petition of Fryday next in the Afternoon, The Petitioners to serve M^r Justice How with a Copy of their Petition & Notifie him then to attend this Court. [*Passed November 17.*]

CHAPTER 111.

VOTE ACCEPTING THE REPORT AB^t THE LINE BETWEEN KITTERY & BERWICK & THE PLACE FOR THE MEETING HOUSE IN UPPER KITTERY.

IN OBSERVANCE of an Order from the General Court bearing Date June 5. 1716, to us the Subscribers; This fourth of September We mett at Cpt John Herds in the upper Parish in Kittery, And there being accompany'd with y^e Select Men of said Kittery & the Select Men of Berwick & many others of the Inhabitants of each Town did then proceed to state a dividing Line between said Towns, Have heard both Parties Allegations & Considered them, Our Opinion is, That the Brook known by the name of Thomsons Brook divide the said Towns of Kittery & Berwick, beginning at the Mouth of s^d Brook at the River called Newickawonnock River, & so up through said Brook to y^e High Way or Country Road, that leads from Kittery to Berwick Meeting House, And from the said Road where the Bridge now is to run back upon an East & by North Point, or Line untill they come to York Bounds: Secondly, In Observance of the abovesaid Order, We have view'd & Consider'd the Extent & Scituation of the upper Parish in Kittery, & Have inform'd ourselves of the number of Families & Poles & Estate therein & have heard y^e Principal Inhabitants of both Parties & their Debates about a Place to sett the Meeting House & have weigh'd their several Arguments, And all Things considered, Our Opinion is, that the most suitable Place to sett a Meeting House for the Accommodation of the Inhabitants of the s^d Parish is on y^e Plain on the West side of the High Way that leads from Cpt. John Leightons Dwelling House towards Sturgeon Creek opposite against M^r Brooks Orchard

Legislative
Records of the
Council, x.,
103.House Jour-
nal, p. 43.

Kittery Sept. 6. 1716

Jn^o WHEELWRIGHT
LEWIS BANE
ABRAHAM PREBLERead & Accepted. [*Passed November 20.*]

CHAPTER 112.

Legislative
Records of the
Council, x.,
104.

Mass.
Archives,
cxiii., 120.
House Jour-
nal, p. 43.

RESOLVE ALLOWING £2. 12 TO MR. JOHN PATRIDGE.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} upon the Accompt of Samuel Patridge Esq^r ¹ Read & Concur'd; viz

Resolved that the Sum of Two Pounds twelve shillings be allow'd & paid out of the publick Treasury to M^r John Patridge to repay y^e above-mention'd Sum. [*Passed November 20.*]

CHAPTER 113.

ORDER OF HEARING ON THE PETITION OF JOHN HOW, COMPLAINING OF A PROSECUTION.

Legislative
Records of the
Council, x.,
104.

Legislative
Records of the
Council, x.,
111 *bis*, 113, 122
bis. House
Journal, p. 41.

UPON READING a Petition of John How of Framingham Setting forth That he has been unreasonably prosecuted to his great Cost & Charge by Samuel ² Simpson on Pretence of Damage by his Mill Pond, Praying Releif

Ordered that the Petitioner serve Savil ³ Simpson y^e adverse Party with a Copy of this Petition, That he may be heard before this Court on Fryday next in the Afternoon; If he has ought to alledge Why the Prayer thereof should not be granted. [*Passed November 20.*]

CHAPTER 114.

RESOLVE ALLOWING £20 TO DANIEL TUCKER, WOUNDED IN WAR.

Legislative
Records of the
Council, x.,
105.

House Jour-
nal, p. 44.

UPON THE PETITION of Sergeant Daniel Tucker wounded in the late War with the Indians;

Resolved that the Sum of Twenty Pounds be allow'd & paid out of the publick Treasury to the Petitioner Daniel Tucker for his present Releif. [*Passed November 21.*]

CHAPTER 115.

ORDER APPOINTING A COMMITTEE ON THE TROUBLES BETWEEN KIT-TERY AND WELLS IN REGARD TO THE DIVISION LINE.

Legislative
Records of the
Council, x.,
105.

House Jour-
nal, p. 44.

UPON READING a Petition of William Sawyer Represent^{ve} of y^e Town of Wells in Behalf of the said Town, Setting forth, That the Bounds of the Town of Kittery are so settled as to take in about four thousand Acres of the Land belonging to the Town of Wells Praying Releif

Ordered that Abraham Prebble Esq^r Cpt Lewis Banc & M^r Sam^l Came be a Committee to go upon the Land in Controversy & view & Discover how the Divisional Line between the Towns of Kittery & Wells ought

¹ "Of Expense in sending Scouts to discover the Indian Enemy in time of War."—Mass. Archives, cxiii., 120.

² "Savil" in State Library copy, Legislative Records of the Council, x., 117.

³ *Sic.*

to be settled, & make Report to this Court as speedily as may be, That in the mean Time no Timber be cutt off the said Land, The Town of Wells to bear the Charge of the Committee. [*Passed November 21.*]

CHAPTER 116.

ORDER APPOINTING A COMMITTEE FOR RETRIEVING THE VALUE OF THE BILLS OF CREDIT.

THE FOLLOWING ORDER pass'd in the House of Repres^{ves} Read & Concur'd viz :

Ordered that Oliver Noyes Anthony Stoddard & John Stoddard Esq^{rs} with such as the Hon^{ble} Board shall appoint be a Committee to consider of a method for retrieving & maintaining the Value of the Bills of publick Credit on this Province equal to the Lawful Money of the Province, & make Report accordingly to the Court

And the Hon^{ble} Nath^l Byfield Esq^r & Major Thomas Fitch are added to the Committee for the Affair above mention'd. [*Passed November 21.*]

Legislative
Records of the
Council, x.,
105.

House Jour-
nal, p. 44.

CHAPTER 117.

ORDER APPOINTING A COMMITTEE FOR THE AFFAIR OF COHASSET.

UPON A FULL HEARING had Yesterday before the whole Court between both Parties on [the Cohasset] Petition ;

Ordered that the Hon^{ble} Penn Townsend & Edmund Quincy Esq^r with such as the Hon^{ble} House of Represent^{ves} shall appoint be a Committee to repair to the Town of Hingham & View the Scituation thereof, in order to which a rough Draught of the Town Plat Setting forth the Number of Families with the Distance of their Dwelling Places from the Meeting Houses, the Petitioners are hereby Directed to prepare & lay before the said Committee, & hear the Allegations on both Sides & make Report thereof at the Session of this Court in May next, The Charge arising thereon to be born by the Petitioners

And Anthony Stoddard Esq^r M^r William Denison & Cpt John Mills are join'd in the Affair. [*Passed November 21.*]

Legislative
Records of the
Council, x.,
106.

House Jour-
nal, p. 45.
Ante, p. 492,
chap. 97.

CHAPTER 118.

ORDER ABT RUNNING THE LINE ON RHODE ISLAND COLONY.

UPON READING a Petition of the Select Men of the Town of Mendon Praying that effectual Care may be taken for the Settling the Line between this Province & the Colony of Rhoad Island

Ordered that Samuel Thaxter Esq^r Cpt Jacob Thomson & John Chandler Esq^r be a Committee to join with such as the Government of Rhoad Island shall impower to proceed in & perfect the Running & Settling the Line between this Province & the said Colony, Pursuant to the Agreement lately made for that end by Commissioners of both Governments: And his Excell^y the Governour is requested to write pressingly to that Governm^t to impower & send Persons to

Legislative
Records of the
Council, x.,
106.

Legislative
Records of the
Council, x., 53.
House Jour-
nal, p. 45.

issue the said Affair as soon as possible: But if the Governm^t of Rhoad Island continue to neglect for the space of five Months to join in the Affair, That the said Committee of this Governm^t be Directed to proceed & issue it according to the said Agreement. [*Passed November 21.*]

CHAPTER 119.

RESOLVE ACCEPTING THE COM^{TEES} REPORT AB^T INSTRUCTING THE EASTERN INDIANS.

Legislative
Records of the
Council, x.,
107.

House Jour-
nal, p. 45.

THE REPORT of the Committee appointed the fifteenth Currant to Consider & Propose a Method for the Instructing the Indians Eastward in the Christian Religion; Viz,

In Order to promote the pious Design above mention'd, The Committee are humbly of Opinion that the Governour & Council or such as shall be by them deputed be desired to provide some ordain'd Minister (whose Ability & Zeal may recommend him to that Service) to Repair as soon as may be to Fort George at Brunswick (where there is an Interpreter that can instruct him in y^e Indian Language) there to apply himself in learning said Language, To make frequent Visits to the Indians as often as they Repair to any of the Parts adjacent, to insinuate himself as much as may [be] into their Friendship & Acquaintance, To offer them & their Children his Instructions, & to promise them a Meeting House for the Worship of God, in case they will attend at it; The Importance & Difficulties of which Service demanding a proportionable Encouragement, We humbly propose that his Allowance be One Hundred & Fifty Pounds *per* Annum, And there be join'd with him as an Assistant some well dispos'd young Scholar to learn likewise the Indian Language, & to be as a School-Master to such of their Children as are willing to be taught, And that it be recommended to the Hon^{ble} the Commissioners of the Corporation for propogating the Gospel among the Indians, & to the Rev^d the Trustees of M^r Williams's pious Legacy, to give the said Assistant suitable Encouragment, out of their Revenue; And we judge it may be of great Advantage, if the said Minister may [be] furnish'd to the value of Twenty Pounds *per* Annum with small Curiosities as are most taking with the Indians, To dispense to their Children as he may see Occasion, either to induce them to learn their Books or to Reward such as distinguish themselves therein, All which is humbly submitted By Order of the Committee

JOHN HIGGINSON

Nov^r 17. 1716

The following Resolve pass'd in the House of Represent^{ves} upon the foregoing Report of the Committee: Read & Concur'd: viz.

Resolved that the foregoing Report be so far Accepted, That a Minister be procured & sent up for One Year, That a suitable Allowance, not exceeding One Hundred & fifty Pounds be made out of the publick Treasury for his Support, As his Excellency & Council shall think fit; That an Assistant be procur'd as propos'd in the Report;: That y^e Sum to be dispens'd in Toys to to¹ y^e Indian Children to encourage em to lern be Ten Pounds. [*Passed November 22*]

CHAPTER 120.

ORDER ON THE PETITION OF REBECCA FREEMAN, EXECUTRIX OF HER HUSBAND, ON THE FAILURE OF A JUDGMENT OBTAINED BY HIM IN TRESPASS, BY HIS DEATH PENDING AN APPEAL FROM THE SAME.

UPON READING the Petition of Rebeckah Freeman Executrix of the last Will & Testament of her late Husband Thomas Freeman, & John, Judah, & Eleazer Rogers, Proprietors in Common of a Parcell of Land in Harwich, Who by Samuel Knowles their Attorney (in the Life time of the said Freeman) brought their Action of Trespass at the Court of Common Pleas in the County of Barnstable against Robert Nickerson Joseph Covell & Ephraim Covell for Trespassing on the said Land, And Recover'd Judgment, And the said Nickerson & Covells appeal'd to the Superiour Court, But before the time of the Courts Sitting the said Thomas Freeman died, And the Court found the Action to be dead with him Praying that by an Act of this Court, the Appellants may be obliged to appear at the next Superior Court of Judicature to be holden at Plimouth & there prosecute their Appeal;

Legislative
Records of the
Council, x.,
108.

House Jour-
nal, p. 47.

Ordered that the Petitioner serve the adverse Party with a Copy of this Petition, And that the Appellants bring forward their Appeal at the Superiour Court of Judicature next to be holden for & within the County of Plimouth, & that the Appellees Council prepare a Bill accordingly. [*Passed November 22.*]

CHAPTER 121.

VOTE ALLOWING FIFTEEN SOLDIERS AT GEORGETOWN.

UPON READING a Memorial of John Watts Esq^r of George Town on Arrowsick, Praying that the Forces they are now favour'd with may be continued till their Settlements are compleated to prevent the Insults of the Indians who grow very troublesome to them,

Legislative
Records of the
Council, x.,
108.

Voted that fifteen Soldiers in y^e publick Pay be allowed till the Session of this Court in May next. [*Passed November 22.*]

House Jour-
nal, p. 45.

CHAPTER 122.

VOTE ALLOWING TEN SOLDIERS AT SMALL POINT.

Voted that ten Soldiers in the publick Pay be allowed to cover y^e Settlement that is making at Small Point near Sagadahock for one year, If the Interested can find so many that will enlist themselves for that Service. [*Passed November 22.*]

Legislative
Records of the
Council, x.,
108.

House Jour-
nal, p. 45.

CHAPTER 123.

RESOLVE ALLOWING £81. 18 FOR THE EXPENCES OF THE GOVERNORS JOURNEY EASTWARD.

Legislative
Records of the
Council, x.,
108.

House Jour-
nal, p. 40.
Sewall's
Diary, iii., 107.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves}, Read & Concur'd viz :

Whereas on Monday the twelfth Instant M^r Treasurer Allen laid before this House an Accompt said to be of Money expended for the Entertainment of his Excellency, & the Gentlemen who attended him on his Journey Eastward to Visit the principal Towns within this Province particularly the Province of Main, Pursuant to a Warrant dated the twelfth of October 1716, W^h Accompt was Read & Payment ordered & sent up for Concurrence: And there being a Parenthesis in the s^d Vote, Which the Honour'd Board thought carried some Reflection in it, And therefore moved to the House to withdraw the same out of their Vote;

Upon Consideration whereof,

Resolved that the Sum of Eighty one Pounds eighteen shillings be allowed in the Treasurers Accompt at this time, Altho it appears by Inspection of the Votes & Orders of Council relating to that Affair that that Journey was perform'd principally for his Excellency the Governours visiting his other Government of the Province of New Hampshire, But that this Allowance be not improv'd for the Future as a Precedent. [*Passed November 22.*]

CHAPTER 124.

RESOLVE ALLOWING £20 FOR THE SUPPORT OF THE MINISTRY AT FREETOWN.

Legislative
Records of the
Council, x.,
109.

Legislative
Records of the
Council, x., 61.
House Jour-
nal, p. 47.

[UPON THE TOWN of Freetown's petition],

Resolved that the Sum of Twenty Pounds be allow'd & paid out of the publick Treasury towards the Maintenance of the Ministry in the said Town the Year Currant. [*Passed November 22.*]

CHAPTER 125.

VOTE ON THE COMTEES REPORT AB^t A HOSPITAL.

Legislative
Records of the
Council, x.,
109.

House Jour-
nal, p. 48.
Province
Laws, ii., 95.
Post, p. 513,
chap. 159.

THE REPORT of the Committee appointed the eleventh of June last to investigate a suitable Place for an Hospital for infectious Persons &c viz

In Obedience to the foregoing Order,¹ We have search'd both by Land & Water the most convenient Places in & about Boston Harbour, & find Spectacle Island & Squantum Neck to be the two most convenient Places for such an Hospital, & discours'd the Owners about it,

M^r Bill refuses to sell any part of Spectacle Island in Fee, but demands ten Pounds per Annum for the Use of one Acre of his Land for that Service, M^r Bull demands Fifty Pounds for one Acre in Fee upon the South-East Part of the Moon, with Liberty to pass & repass,

¹ Appointing the committee.

Which Place being equally convenient with the other, besides that it is to be bought outright, that it lies more out of the common Road of Shipping, & that it can be come at both by Water & Land, We recommend that as the fittest Place: We herewith offer the Draught of a House, Which we reckon most agreeable to that Occasion, The Charge whereof with a Well, Fencing, a Shed to house infectious Goods in, & other Accommodations We compute will amount to between One Hundred & fifty & two Hundred Pounds: We offer also some Minutes which we judge convenient to be drawn into an Act: All which is humbly submitted to the Hon^{ble} Court By Order of the Committee

Boston Nov^r 15. 1716

ADAM WINTHROP

The following Vote pass'd in the House of Represent^{ves} upon the afore-going Report of the Committee: Read & Concur'd; viz

Voted that this Report be so far Accepted, that the Acre of Land mention'd therein on Squantum Neck with necessary Privileges be purchas'd & paid for out of the publick Treasury, The Title to be vested in y^e Province Treasurer for the time being for the Use of this Province,

That One Hundred & fifty Pounds be allow'd out of the publick Treasury for Erecting necessary Buildings &c thereon, That Samuel Thaxter & William Payne Esq^r be a Committee to take care for the building & fitting the Hospital as soon as may be: And that the said Comptee prepare & lay before this Court a Draught of a Bill enacting as they sh^{ll} think necessary on this Occasion. [*Passed November 23.*]

CHAPTER 126.

ORDER ON THE PETITION OF JOHN BRIGHAM AND OTHERS, PRAYING THAT CERTAIN UNGRANTED LANDS BE ERECTED INTO A TOWNSHIP AND GIVEN OR SOLD TO THEM.

UPON READING a Petition of John Brigham & thirty others Praying the ungranted Lands lying between the Towns of Lancaster Sutton Marlborough, Worcester, Hassanimesco & Bridghams Farm to y^e Quantity of Seven Miles Square may be Erected into a Township & given or sold to them

Legislative
Records of the
Council, x.,
110.

House Jour-
nal, p. 48.

Ordered that the Petitioners prepare a Plan of the Land petition'd for, & lay it before this Court at their next Sessions: That Marlboro^r Petition be continued to that Time, That this Court may advise what will be for the publick Benefit. [*Passed November 23.*]

CHAPTER 127.

VOTE FOR MAKING KITTERY A PORT.

THE FOLLOWING VOTE pass'd in the House of Represent^{ves} Read & Concur'd, viz.

Whereas this House pass'd a Vote at their Sessions the thirty first Day of May 1715 in the following Terms; viz

Voted that the Right of this Province in & to the River commonly called Piscataqua River be asserted & maintain'd; And in order thereunto,

That a Breast Work for six Guns be erected in some convenient Place in the Town of Kittery for the Defence of the River:

Legislative
Records of the
Council, x.,
111.

House Jour-
nal, p. 47.

That six Guns with Shot & Carriages be ordered to the Town of Kittery upon their erecting a Breast Work & Plat form, & obliging themselves to maintain the same: That his Exc^y be desir'd to give his Orders accordingly.

That it is for his Majestys Service that there be a Naval Office kept in the Port of Kittery, to avoid the unreasonable Duties & Impositions exacted from the Inhabitants of this Province, Passing in & out said River by the Naval Officer of the Govern^t of New Hampshire

That all Ships or other Vessels that load or unload at y^e Port of Kittery be oblig'd to Enter & Clear with the Naval Officer there, & pay the Duties of Impost & Powder Money according to Law.

That all the Harbours of Kittery & Berwick shall belong to the Port of Kittery

W^h VOTES were sent up to the Hon^{ble} Board for Concurrence & there Concur'd & Consented to by the Governour; And whereas the Vote aforesaid has not been yet put in Execution:

Voted that his Excell^y the Govern^t be desir'd to bring forward the Execution of it as soon as may be. [*Passed November 26.*]

CHAPTER 128.

ORDER APPOINTING A COM^{TEE} FOR RUNNING THE LINE BETWEEN CONCORD & STOW.

Legislative
Records of the
Council, x.,
112.

House Jour-
nal, p. 48.

INASMUCH as the Committee formerly sent to discover the Line between the Towns of Concord & Stow did not finish that Service;

Ordered that Samuel Thaxter Esq^r Cpt John Gardner & Cpt Joseph Burnap be a Committee to investigate & settle the Bound Marks between the said Towns & Make Report to this Court of y^r Doings & of their Opinion by whom of Right the Charge ought to be born. [*Passed November 26.*]

CHAPTER 129.

ORDER FOR SUPPLY OF THE LIGHTHOUSE.

Legislative
Records of the
Council, x.,
113.

House Jour-
nal, p. 49.

Ordered that the Commissioner of the Impost be Directed to-supply the Keeper of the Light House with Oyl, Week & Candles for the maintaining the Lights as often as he shall have occasion, & with such other Things as may be necessary for the same, & bring the Charge into his Accompt. [*Passed November 27.*]

CHAPTER 130.

RESOLVE ALLOWING £16. 8. 3 TO JOHN HINKS.

Legislative
Records of the
Council, x.,
114.

Mass.
Archives,
cxxiii., 151.
House Jour-
nal, p. 49.

Resolved that the Sum of Sixteen Pounds eight shillings & three pence be allow'd & paid out of the publick Treasury to M^r John Hinks the Petitioner in Discharge of his Accompt.¹ [*Passed November 27.*]

¹ "For Duffals Supply'd Maj^r Plaisted in the Year 1699 for the Country's Use." — Mass. Archives, cxxiii., 151.

CHAPTER 131.

ORDER APPOINTING A COM^{TEE} FOR A CONFERENCE ON JOHN HOWS PETITION.

Ordered that Nathaniel Byfield Benjamin Lynde & Addinⁿ Davenport Esq^r with such as the Honour^{ble} House of Represent^{ves} shall join be a Committee to confer upon the subject Matter of the Petition of John How of Framingham within the County of Middlesex

And Elisha Cook Esq^r M^r Thomas Turner Daniel Parker and Samuel Thaxter Esq^{rs} be a Committee for the said Affair. [*Passed November 28.*]

Legislative
Records of the
Council, x.,
113.

House Jour-
nal, p. 50.

CHAPTER 132.

ORDER APPOINTING JOHN HOW GUARDIAN OF HIS BROTHER ELISHA.

UPON READING a Petition of Sarah How & six others, y^e Mother & Brethren of Elisha How of Sudbury a distracted Person, Praying that John How of Framingham Brother of the said distracted Person may be constituted Guardian of his Person & Estate;

Ordered that the Prayer of this Petition be granted. And that John How of Framingham in the County of Middlesex be & hereby is Constituted & Appointed Guardian unto his Brother Elisha How the distracted Person within mention'd; The said John How giving Bond to the Judge of the Probate of Wills &^c within the County aforesaid, As the Law in such Cases provides. [*Passed November 28.*]

Legislative
Records of the
Council, x.,
113.

House Jour-
nal, p. 50.

CHAPTER 133.

ORDER FOR LAYING OUT LAND TO WOBURN.

UPON READING a Petition of John Peirce & John Tidd in Behalf of the Town of Wobourn, Praying they may be allow'd to lay out Two Thousand Acres of Land in some Place in the Province not yet appropriated, W^h was granted to the said Town in October 1664, but not yet taken up.

Ordered that the Prayer of the Petition be granted. [*Passed November 28.*]

Legislative
Records of the
Council, x.,
114.

House Jour-
nal, p. 50.

CHAPTER 134.

ORDER ON DAN^L BARTLETS PETITION, GRANTING A NEW TRIAL.

Ordered that the Petitioner Daniel Bartlett be allowed a new Trial at the Superior Court next to be held at Bristol for & within y^e County of Bristol, And that the Petitioners Council prepare a Bill accordingly. [*Passed November 28.*]

Legislative
Records of the
Council, x.,
114.

House Jour-
nal, p. 50.

CHAPTER 135.

Legislative
Records of the
Council, x.,
114.

VOTE AB^T A WRECK & MEN BELONGING TO HER.

Mass.
Archives,
cxxiii., 77.
Legislative
Records of the
Council, x.,
111.

A MESSAGE from the Represent^{ves} by M^r Newman & M^r Trevot, That the House are inform'd that some time since a Vessell has been shipwreck'd at or near Mount Desert Island, And that People have been seen on Shoar in Distress, And therefore desire his Excell^y y^e Govern^r & y^e Hon^{ble} Council that a Vessell may be forthwith sent Eastward for y^e Releif of y^e Distress'd.¹ [*Passed * November 28.*]

CHAPTER 136.

Legislative
Records of the
Council, x.,
116.

RESOLVE ALLOWING £485. 17. 8 TO WILLIAM PAYNE UPON THE LIGHT-HOUSE ACCOUNT.

Legislative
Records of the
Council, x.,
112. House
Journal, p. 41.

UPON THE LIGHT HOUSE ACCOMPT

Resolved that the above Accompt be allowed, the ballance due thereon, viz, Four Hundred eighty five Pounds seventeen shillings & eight pence be allowed & paid out of the publick Treasury to M^r William Payne to discharge the same. [*Passed November 29.*]

CHAPTER 137.

ORDER APPOINTING A COMMITTEE TO CONSIDER THE HATFIELD PETITION.

Legislative
Records of the
Council, x.,
116.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} upon the Petition of y^e Town of Hatfield, W^h was referr'd to a Comp^{tee} December last; viz

House Jour-
nal, p. 51.

INASMUCH as the Committee to whom this Petition was referr'd in December last have lapsed their Time & made no Report;

Ordered that the Hon^{ble} John Pynchon & John Ashley Esq^r & Leiv^t John Merrick be a Committee to whom this Petition is referr'd to consider the subject Matter & Allegations thereof, & make Report what they think proper to be done thereon, at the Session of this Court in May next, Concur'd by the Council. [*Passed November 29.*]

CHAPTER 138.

RESOLVE AB^T COMMISS^R OF IMPOST SWEARING PERSONS TO THEIR ENTRIES.

Legislative
Records of the
Council, x.,
116.

House Jour-
nal, p. 50.

WHEREAS it is Enacted in the Act entuled an Act for Granting to his Majesty several Rates & Duties of Impost & Tunnage of Shipping, viz, That if the Commissioner or Receiver shall suspect that any Merchant, Factor or other Person to whom any Wines Liquors Goods or Merchan-

¹ The "desire" of the House was granted.—Mass. Archives, cxxiii., 77. See also Legislative Records of the Council, x., 111. Hence the foregoing action became, in effect, legislation.

dize comes consigned does not in the Entry or Writing thereof to be given under his Hand as aforesaid make a full & perfect Entry of such Wines Liquors Goods & Merchandize, or that the Invoices thereof produced & shewn by any Person or Persons as by this Act is directed are not really & Bonâ fide the original Invoices of the Wines Liquors Goods & Merchandize such Person or Persons shall then enter, In every such case, the Commissioner or Receiver is hereby ordered & Directed not to admit such Person or Persons to any Entry of the said Wines Liquors Goods or Merchandize untill he or they shall have made Oath to the Truth of s^d Writing or Invoice, by him or them presented as afores^d,

WHEREBY the Officer is laid under the Hardship of Suspecting & so Offending all such Persons as he shall administer an Oath to, as aforesaid,

Resolved that the said Commissioner be & hereby is Directed & Impowered to administer such Oath to every Person or Persons whatsoever before he admitt him or them to any Entry; Any Law, Usage or Custom to the Contrary notwithstanding. [*Passed November 29.*]

Province
Laws, x., 69.

CHAPTER 139.

VOTE ACCEPTING THE COMTEES REPORT AB^T CHEBACCO & THE HAMLET AT IPSWICH, WITH AN EXCEPTION.

WE THE COMMITTEE within named being appointed by y^e General Court on the ninth of November 1716 to go upon the Place, Hear & Consider the Differences between the Precinct of Chebacco & the new Hamlet in Ipswich, & make Report, And to Consider the Petition of Edward Bishop & Thomas Knoulton, & make Report: We did on the nineteenth of November 1716, go upon the Place, & went to the Bounds shew'd us, and heard what each Party had to say & shew unto us; We find that Ipswich did on the fifteenth of February 1680, Grant to the Inhabitants that do or shall inhabit from Choats to Nicholas Marbles shall henceforth be freed from all Charges arising, for Ministry House or Meeting House, And by the Evidences of John Cogswell & Seth Story who were present at said Grant, say, That the Vote of the Town of Ipswich was, that y^e Lines between Ipswich & Chebacco were to begin at Choats Brook, & thence to Marbles, & thence including Knights Farm, so to the lower Corner of Wenham Line, Who have ever since paid to the Ministerial Charge at Chebacco; And Abraham Perkins certifieth, That when Chebacco Precinct was sett off from the Town, Knights Farm was sett off with them, & ever since paid Rates to Chebacco, And Thomas Edwards saith, That with the Allowance of his Landlord Woodberry, he join'd with Chebacco petitioning to be sett of a Precinct, & he did Duty to the Ministry & Military at Chebacco as long as he lived there

Legislative
Records of the
Council, x.,
115.

House Jour-
nal, p. 52.
Ante, p. 491,
chap. 94.

And the Town of Ipswich did on y^e tenth of March 1715, Confirm y^e Bounds of Chebacco to be from the Head of the Brook called Choats Brook to run down to Castle Neck River, as the Creek runs into the River, & so to the Sea, & also from the Head of said Brook to Marbles, thence including Knights Farm; And to run on a streight Line from the Southerly Corner of said Knights Farm, to the Double U Tree in Wenham; & so on the South East upon the Neighbouring Towns to the Sea, W^h said Bounds we apprehend out¹ to be settled to Chebacco Precinct; And that the Hamlets present Wood Pasture & Plow Lands within Chebacco Precinct be free from Rates to y^e Ministry in Chebacco till they be tenanted:

¹ *Sic.*

And as for Edward Bishop & Thomas Knoulton their Memorial, We have considered that those who at present live remote from Chebacco Meeting House & nearer to the Hamlet Meeting House, That those of them that chuse to go to the Hamlet Meeting House shall pay one half of what their Heads & Estates amount to for the Minister of Chebacco in proportion to what the other Inhabitants of Chebacco pay. Which is humbly submitted

Per Order, JOHN HIGGINSON

The following Order pass'd in Council upon the foregoing Report of the Committee: Concur'd by the Represent^{ves} viz,

Voted that the Report of the Committee as to the Bounds of Chebacco be Accepted, Excepting Knights Farm, Wh^h is hereby directed & ordered to ly to the Hamlet, And that the Meadows & other Lands lying on each side y^e s^d Line shall do Duty to that Precinct wherein they ly. [*Passed November 30.*]

CHAPTER 140.

RESOLVE FOR ANNEXING TO CHILMARK CERTAIN LANDS IN MARTHA'S VINEYARD.

Legislative
Records of the
Council, x.,
118.

House Jour-
nal, p. 52.

UPON READING a Petition of Payne Mayhew Town Clerk of y^e Town of Chilmark by Order of the said Town, Praying that all the Lands upon Martha's Vineyard lying to the Westward of the said Town may be added & annex'd to it together with an Island call'd No Mans Land;

Resolved that the Prayer of the Petition be granted, Always Providing that it extend not to or take in any Part of the Gay Head Neck upon the Island of Martha's Vineyard. [*Passed November 30.*]

CHAPTER 141.

RESOLVE ALLOWING A PENSION OF £4 TO THOMAS PHILLIPS FOR LIFE.

Legislative
Records of the
Council, x.,
118.

House Jour-
nal, p. 51.

UPON READING a Petition of Thomas Phillips of Boston Black-Smith, who was wounded in both his Leggs in the Service agast the French at Port Royall 1709. Whereby he is disabled from following his Trade to support himself & his Family, Praying an Annual Pension may be settled upon him during Life;

Resolved that a Pension of Four Pounds be allowed & annually paid out of the publick Treasury to Thomas Phillips the Petitioner, during his natural Life. [*Passed November 30.*]

CHAPTER 142.

RESOLVE FOR GRANTING PROVINCE LANDS IN HOPKINTON TO THE TRUSTEES OF HOPKINS' LEGACY.

Legislative
Records of the
Council, x.,
119.

Legislative
Records of the
Council, x.,
117. House
Journal, p. 52.

Resolved that all the Province Lands contain'd within the Bounds of the Town of Hopkinton be freely given & granted to the Trustees of the Legacy of Edward Hopkins Esq^r Dec^d & their Successors in that Trust for Ever, & to the same good & pious Uses Ends & Purposes for which that Part of Hopkinton call'd Moguncug was purchased, They giving reasonable Satisfaction to M^r John Francis for his Grant of One

Hundred Acres of Land which he has taken up in the said Township, And Paying the Town of Framingham their necessary Charges in taking a Plat of the said Lands pursuant to the Vote of this Court; PROVIDED that this Grant shall entrench upon no former Grant or Grants. [*Passed December 1.*]

CHAPTER 143.

ORDER ON PROPOSALS RELATING TO WORCESTER TAXES.

THE HON^{BLE} COURT having in their Sessions in May last impowered y^e Comp^{tee} of Worcester to assess the Pools¹ of the Inhabitants & y^e Lands as well of the Non-Residents as the Residents to the Charge of a Minister Bridges Highways &c, But no Provision being made to authorize any Person to Collect the same; It is humbly proposed that the said Comp^{tee} be impowered to appoint some Person in that Town to Collect the s^d Tax, & that the said Collector be vested with such Power as Constables or Collectors have within their Towns, to Demand & Levy the severall Sums so assess'd of the respective Persons in whatsoever Town or Place within this Province they may be found, And that the Lands in that Town of any such as are out of this Province may stand chargeable with the sum assess'd thereon, till they shall be paid;

Ordered that the above mentioned Committee be impowered as is above proposed. [*Passed December 3.*]

Legislative
Records of the
Council, x.,
117.

House Jour-
nal, p. 53.

CHAPTER 144.

AGENTS COMMISSION & INSTRUCTIONS SIGNED.

THE COMMISSION & INSTRUCTIONS to M^r Agent Dummer being fair drawn, were brought in; Read & sign'd by the Governour.² [*Passed December 3.*]

Legislative
Records of the
Council, x.,
119.

Legislative
Records of the
Council, x.,
116, 117 *bis*.
House Jour-
nal, p. 53.

CHAPTER 145.

RESOLVE ALLOWING NATHANIEL PAYNE £11. 7.

Resolved that the Sum of Eleven Pounds & seven shillings be allowed & paid out of the publick Treasury to the Hon^{ble} Nath^l Payne Esq^r to discharge the above Accompt.³ [*Passed December 3.*]

Legislative
Records of the
Council, x.,
120.

Mass.
Archives,
cxxiii., 90.
House Jour-
nal, p. 53.

CHAPTER 146.

RESOLVE FOR EMITT^G £6,000 AND FOR PROVIDING SECURITY.

Resolved that the Treasurer be & he hereby is Directed & Impowered to Issue forth & Emit of the Bills of publick Credit receiv'd into the Treasury the Sum of Six Thousand Pounds for payment of the publick Debts of the Province already contracted for the Defence & Support of the Government, & the necessary Protection & Preservation of the

Legislative
Records of the
Council, x.,
120.

House Jour-
nal, p. 53.
Province
Laws, ii., 70.

¹ *Sic.*

² These are not now of record in the State House.

³ "Expences in Finishing y^e line between this Government & Rhode Island." — Mass. Archives, cxxiii., 90.

Inhabitants of this Province & for the Subsisting of Forts or Garrisons & Wages arising for their Service, for Payment of Grants Salaries & Allowances made or to be made by this Court according to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour or Commander in Chief for the Time being by & with the Advice & Consent of the Council: And the said Bills shall pass out of the publick Treasury at the value therein express'd equivalent to Money, & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds ~~per~~ Cent more

And as a Fund & Security for the same, There be & hereby is Granted to his Most Excellent Majesty to the Ends & Uses aforesaid a Tax of Six Thousand Pounds to be levied upon Polls, & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within y^e same, as shall be agreed on & Order'd by the Great & General Court or Assembly of this Province at their Session in May 1719, & paid into the Treasury on or before the last Day of December next after. [*Passed December 3.*]

CHAPTER 147.

ORDER FOR SHERIFFS TRANSMITT^g THE ACTS.

Legislative
Records of the
Council, x.,
121.

House Jour-
nal, p. 54.

Ordered that the Sheriff of the County of Suffolk be Directed to take Care from Time to Time to transmit the Acts made & pass'd by y^s Court to the several Towns of the said County & to the Sheriffs of all the other Counties in the Province, who are also hereby Directed to take care to transmit them to the several Towns of their respective Counties. [*Passed December 4.*]

CHAPTER 148.

ORDER FOR MAKING £100,000 IN BILLS.

Legislative
Records of the
Council, x.,
122.

House Jour-
nal, p. 54.
Province
Laws, ii., 69.

Ordered that the Committee that made the last Bills of Credit on this Province be Directed to make One Hundred Thousand Pounds more of the said Bills with as much Expedition as may be, And when & so often as they shall have perfected the Sum of Twenty five Thousand Pounds of the said Bills, They shall deliver them to y^e Commissioners appointed in the several Counties to let out the same, in Proportion as Directed by an Act pass'd this Session, Taking the Receipt of each one of y^e respective Commissioners for y^e same: The Comp^{ts} to be paid for making y^e Bills as for the last they made. [*Passed December 4.*]

CHAPTER 149.

RESOLVE ALLOWING TO JOSEPH MARION £8. 9. 6.

Legislative
Records of the
Council, x.,
122.

Mass.
Archives,
cxxiii., 89.
House Jour-
nal, p. 55.

Resolved that the Sum of Eight Pounds nine shillings and six pence be allowed & paid out of the publick Treasury to M^r Joseph Marion to discharge his Accompt¹ on y^e other side. [*Passed December 4.*]

¹ "Of writing for the Hon^{ble} House of Representatives." — Mass. Archives, cxxiii., 89.

CHAPTER 150.

ORDER NAMING COMMISS^{rs} OF THE SEVERAL COUNTIES FOR LETTING
OUT THE £100,000.

Ordered that the Gentlemen under written be Commissioners, Pursuant to the Act pass'd this Session, entituled An Act for the Making & Emitting the Sum of One Hundred Thousand Pounds

Suffolk	{	Adam Winthrop	Bristol	{	Cpt Nath ^l Payne	Legislative Records of the Council, x., 122.
		W ^m Denison			Cpt Samuel Gallop	
Middlesex	{	Elisha Cook Esq ^{rs}	Hampshire	{	Cpt W ^m Southworth	House Jour- nal, p. 54. Province Laws, ii., 69.
		Oliver Noyes			Mr Nath ^l Blagrove	
		Sam ^l Thaxter			John Rogers Esq ^r	
		Charles Chambers			Coll ^o John Pyncheon	
		Jonathan Dowse			Mr Henry Dwight	
Essex	{	Jonathan Remington Esq ^{rs}	Barnstable	{	Mr Luke Hichcock	
		Edmund Goffe			John Ashley Esq ^r	
		Jonas Bond			Mr John Patridge	
		Benjamin Lynde } Esq ^{rs}			Coll William Bassett	
		John Turner }			Coll John Otis	
Plymouth	{	Mr Daniel Rogers	York	{	Cpt Joseph Lothrop	House Jour- nal, p. 54. Sewall's Diary, iii., 112.
		Coll Henry Somersby			Peter Thacher Esq ^r	
		Cpt Walter Price			Mr Eben ^r Lewis	
		Nath ^l Thomas of Plim ^o Esq ^r			Abram ^m Prebble Esq ^r	
		Major Isaac Lothrop			Cpt Samuel Plaistead	
	{	Mr John Watson		{	Cpt John Leighton	
		Cpt Isaac Little			Mr Samuel Came	
		Cpt Josh ^a Cushing			Cpt Lewis Banc	

[*Passed December 4.*

CHAPTER 151.

RESOLVE ALLOWING £500 TO THE GOVERNOR.

Resolved that the Sum of Five Hundred Pounds be allow'd & paid out of the publick Treasury to his Excell^y Samuel Shute Esq^r Captain General & Governour in Cheif of this his Majestys Province for his Support in managing y^e Affairs of Governm^t. [*Passed December 4.*

CHAPTER 152.

RESOLVE ALLOWING £100 IN BILLS OF EXCHANGE TO M^r AGENT DUMMER FOR HIS PAST SERVICE.

Resolved that the Treasurer be Directed to purchase good Bills of Exchange for One Hundred Pounds Sterl^e to be paid to M^r Jeremiah Dummer in London Agent for this Province in consideration of his past good Services. [*Passed December 4.*

CHAPTER 153.

RESOLVE ALLOWING £300 IN BILLS OF EXCHANGE TO M^r AGENT DUMMER FOR FUTURE SERVICE.

Resolved that the Treasurer be Directed to purchase good Bills of Exchange for Three Hundred Pounds Sterl^e to be paid to M^r Jeremiah Dummer in London Agent for this Province, further to Enable him to Negotiate the Affairs thereof. [*Passed December 4.*

CHAPTER 154.

RESOLVE ALLOWING £30 TO M^R JOHN WHITE.

Legislative
Records of the
Council, x.,
123.

House Jour-
nal, p. 54.

Resolved that the Sum of Thirty Pounds be further allow'd & paid out of the publick Treasury to M^r John White Clerk of this House for his Service in the Year Currant. [*Passed December 4.*]

CHAPTER 155.

RESOLVE ALLOWING £33 TO M^R SARGENTS EXCORS FOR HANGINGS &c.

Legislative
Records of the
Council, x.,
123.

House Jour-
nal, p. 55.

Resolved that the Sum of Thirty three Pounds be allow'd & paid out of the publick Treasury to the Executors of the last Will & Testament of Peter Sergeant Esq^r Dec'd to purchase the Hangings for two Rooms & &¹ two large Looking Glasses remaining in the House which this Province purchased of them. [*Passed December 4.*]

CHAPTER 156.

RESOLVE ALLOWING £20 TO JOHN FLAGG AS DOORKEEPER AND 53/ FOR CARE OF THE CLOCK.

Legislative
Records of the
Council, x.,
123.

House Jour-
nal, p. 54.

Resolved that the Sum of Twenty Pounds be allow'd & paid out of the publick Treasury to M^r John Flagg Door-Keeper to his Excellency the Governour, the Hon^{ble} the Council, & this House for his Service Half a Year ending the 26th Currant. And the further Sum of Fifty three Shillings for the Care & Charge upon the Clock belonging to this Court. [*Passed December 4.*]

CHAPTER 157.

RESOLVE ALLOWING £2. 17 TO BENJ^A ROLFE.

Legislative
Records of the
Council, x.,
123.

Mass.
Archives,
cxix., 89.
House Jour-
nal, p. 55.

Resolved that the Sum of Two Pounds & seventeen shillings be allow'd & paid out of the publick Treasury to M^r Benjamin Rolfe to discharge the above Accompt.² [*Passed December 4.*]

¹ *Sic.*

² "For writings by him done for the General Court." — Mass. Archives, cxix., 89.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TENTH DAY OF APRIL, A.D. 1717.

CHAPTER 158.

ORDER APPOINTING A COM^{TEE} TO CONSIDER THAT PART OF HIS EXC^YS
SPEECH RELATING TO THE DISCOUNT ON THE BILLS.

Ordered that Oliver Noyes, Elisha Cook, William Payne. Charles Chambers & Samuel Thaxter Esq^{rs} with such as the Hon^{ble} Board shall¹ be a Committee in the Recess of this Court to Consider that Part of his Excell^ys Speech which relates to the discount upon the Bills of publick Credit, & Report such Expedients as they think will be most effectual to preserve & maintain the Credit & Value of the said Bills at y^e Session in May next

And the Hon^{ble} Andrew Belcher Thomas Hutchinson Thomas Fitch & Edmund Quincey Esq^r be join'd to the Committee for the abovesaid Affair. [*Passed April 11.*]

Legislative
Records of the
Council, x.,
127.

House Jour-
nal, p. 58.

CHAPTER 159.

ORDER ON DORCHESTER BRAINTREE & MILTON PETITION IN REGARD
TO THE LOCATION OF A HOSPITAL.

UPON READING a Petition of a Considerable Number of the Inhabitants of the Towns of Dorchester Braintree & Milton Praying that a Hospital for the Entertainment of Infectious Persons may not be erected on Squantum Neck in Dorchester aforesaid, As has been propos'd in y^e Committees Report appointed for that Purpose;

Ordered that Adam Winthrop William Payne Sam^l Thaxter & Jonathan Dowse Esq^{rs} be a Committee to find out & agree for a more suitable Place for the Building a Hospital, That it may be Erected with all convenient Speed. [*Passed April 11.*]

Legislative
Records of the
Council, x.,
127.

House Jour-
nal, p. 58.
Province
Laws, ii., 93.
Ante, p. 502,
chap. 125.

CHAPTER 160.

VOTED THAT TEN SOLDIERS BE ALLOWED AS A GARRISON AT NORTH-
FIELD.

Voted that Ten Soldiers be allowed & continued in the publick Pay for the Covering & Encouraging the Settlement of y^e Town of North-field until the Session of this Court in May next. [*Passed April 11.*]

Legislative
Records of the
Council, x.,
127.

House Jour-
nal, p. 58.

¹ "Join" in the State Library copy, Legislative Records of the Council, x., 141.

CHAPTER 161.

ORDER FOR PRESENTING £300 TO HIS EXCY.

Legislative
Records of the
Council, x.,
128.

Legislative
Records of the
Council, x., 96,
100, 123, 124.
House Jour-
nal, p. 59.

THE FOLLOWING ORDER pass'd in the House of Repres^{ves} Read & Concur'd viz. Inasmuch as His Excellency the Governour did at the Opening of the last Session declare that he came with the utmost Resolution to study the true Interest of this Province; And hath now by his reiterated Promise given us firm Assurances That he will use his best Endeadeavours¹ to watch against any thing that will be hurtful to us; w^h Promisses & Assurances are very grateful & acceptable to this House

In Consideration whereof,

Ordered that the Sum of Three Hundred Pounds be presented & paid out of the publick Treasury to His Excellency the Governour. [*Passed April 12.*]

CHAPTER 162.

RESOLVE ALLOWING £10. 10 TO W^m PAYNES ACCO^t OF SENDING LAWS.

Legislative
Records of the
Council, x.,
128.

House Jour-
nal, p. 59.

Resolved that the Sum of Ten Pounds & ten shillings be allowed & paid out of the publick Treasury to M^r William Payne to discharge his Account of Transmitting Laws to y^e sevⁿ Counties in y^e Province. [*Passed April 12.*]

CHAPTER 163.

VOTE ACCEPTING THE REPORT AB^t READING MEETING HOUSE.

Legislative
Records of the
Council, x.,
128.

House Jour-
nal, p. 59.

WE UNDERWRITTEN being a Committee appointed by the General Court to Consider & Make Report of the most convenient Place for a Meeting House for the publick Worship of God in the North Precinct of Reading have heard both Parties, And are humbly of Opinion That it is best for the meeting-House to remain where it is for the present, till it be otherwise agreed on by the Precinct to remove it.

April 12. 1717

JOHN APPLETON
BENJ^a LYNDE
JOHN BURRILL

Read & Accepted. [*Passed April 12.*]

CHAPTER 164.

ORDER ACCEPTING THE REPORT AB^t CONCORD AND STOW BOUNDARIES.

Legislative
Records of the
Council, x.,
129.

WIEREAS the Great & Generall Court holden at Boston November 1716 Appointed us the Subscribers to Investigate & Settle the Bound Marks between the Towns of Stow & Concord & to Make Return of

¹ *Sic.*

our Doings therein, & our Opinion by whom of Right the Charge of the Committee ought to be born: Pursuant thereunto, We met at Concord the tenth Day of December 1716, And notified the Committees that were appointed by each Town to meet with us at M^r Whitneys, near to the Line, where they accordingly mett, And after having heard their Allegations & several Evidences on both sides, We proceeded to the Corner, where the Towns of Concord, Stow. & Sudbury meet, And Concord Committee shew'd us a Bound Mark, and Stow Committee could not deny it; From thence We proceeded on the Line running North West nearest untill we came to a large Hill now overgrown with small Trees, which We judg'd to be of about Twenty Five Years Growth, And in this Line We found sundry Bound Marks, Wh^h we judg'd to be anciently done & often renewed, And at the end thereof upon the aforesaid Hill there was a large Heap of Stones laid round a Tree, which the Committee told us was the End of the North West Line, & had been always acknowledged¹ to be the Corner Bounds, There we turned a square Line, & ran towards the Indian Plantation call'd Nashoba, And in running that Line we were carry'd about Forty Rods to y^e Southward of the Bound Mark that we found near the said Indian Plantation Line, And as we ran this Line, We found sundry Boundaries that had been anciently mark'd, And Sundry Persons had given Evidence that they were the reputed Bounds between Concord & Stow: We also enquired of Stow Committee. Whether that they had ever heard of or seen any other Lines or Bound Marks that had been between said Towns, & they could not give us any Account of any; We are therefore humbly of Opinion, That these Lines & Boundaries above mentioned are the Lines & Bound Marks that were made by M^r Beers & M^r Noyes by Order of the Great & Generall Court for laying out Concord second Grant; And We are humbly of Opinion that the Charge was unnecessarily brought on them by Stow, And therefore they ought to pay the Charge thereof.

Concord Dec^r 12. 1716

SAM^{LL} THAXTER
JOHN GARDNER
JOSEPH BURNAP

Ordered that this Report be Accepted, And that y^e Bounds between the Towns of Concord & Stow be & remain settled & established accordingly. [*Passed April 12.*]

¹ This word looks as if written "accpenowledged."

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1717-18.

LEGISLATIVE LIST¹

FOR

1717-18.

HIS EXCELLENCY SAMUEL SHUTE,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, Esq.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM DUMMER
SAMUEL SEWALL
JOHN HIGGINSON
THOMAS NOYES
BENJAMIN LYNDE
THOMAS HUTCHINSON
WAIT WINTHROP
PENN TOWNSEND
ANDREW BELCHER

} ESQRS.

WILLIAM TAILER
ADDINTON DAVENPORT
SAMUEL BROWN
ELISHA HUTCHINSON
JOHN APPLETON
EDWARD BROMFIELD
NATHANIEL NORDEN
JOHN CLARK
THOMAS FITCH

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

NATHANIEL BYFIELD
ISRAAC² WINSLOW

} ESQRS.

JOHN CUSHING
JOHN OTIS

} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Main;

ELIAKIM HUTCHINSON, JOHN WHEELWRIGHT & ADAM WINTHROP, ESQRS.

Of the Inhabitants of or Proprietors of Lands lying within the Territory between the River of Sagadahock & Nova Scotia;

ELISHA COOK, ESQ.

¹ See Legislative Records of the Council, x., 131-133.

² Sic.

For the Province, at large:—

NATHANIEL PAYNE & EDMUND QUINCEY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 29, 1717 to April 10, 1717–18.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . Edward Hutchinson, Esq.,
 Capt. Joseph Wadsworth,
 Mr. Isaiah Tay,
 Capt. Habijah Savage.
Roxbury, . . . William Denison, Esq.
Dorchester, . . . Mr. Hopestil Clap.
Hingham, . . . Samuel Thaxter, Esq.
Braintree, . . . Mr. John Quincey.
Dedham, . . . Mr. John Fuller.
Medfield, . . . Mr. Henry Adams.
Weymouth, . . . Capt. John Hunt.
Milton, . . . Mr. John Wadsworth.
Wrentham, . . . Mr. Ebenezer Fisher.
Mendon, . . . Josiah Chapin, Esq.
Brooklyn, . . . Mr. Josiah Winchester.
Woodstock, . . . John Chandler, Esq.

COUNTY OF ESSEX.

Salem, . . . Mr. Timothy Lyndal,
 Capt. Peter Osgood.
Ipswich, . . . John Denison, Esq.,
 Mr. John Appleton.
Newberry, . . . Col. Henry Somersby,
 Mr. James Noyes.
Lynn, . . . John Burrill, Esq.
Marblehead, . . . Mr. Richard Trevot.
Andover, . . . Mr. Nehemiah Abbot.
Beverly, . . . Capt. Joseph Herrick.
Rowley, . . . Mr. Ezekiel Northern.
Salisbury, . . . Capt. William True.
Haverhill, . . . Mr. Amos Singleterry.
Glocester, . . . John Newman, Esq.
Topsfield, . . . Mr. Samuel Howlet.
Boxford, . . . Mr. Joseph Hale.
Wenham, . . . Mr. William Rogers.
Ame[s]bury, . . . Capt. Hohn¹ Foot.
Bradford, . . . Mr. Thomas Kemball.

COUNTY OF MIDDLESEX.

Charlestown, . . Charles Chambers, Esq.,
 Jonathan Dowse, Esq.
Cambridge, . . . Jonathan Remington, Esq.

COUNTY OF MIDDLESEX—*Concluded.*

Watertown, . . . Mr. Benjamin Garfield.
Concord, . . . Mr. William Wilson.
Wobourn, . . . Mr. John Pierce.
Reading, . . . Mr. Joshua Eaton.
Sudbury, . . . Mr. Hopestil Brown.
Marlborough, . . Thomas How, Esq.
Newton, . . . Mr. John Ward.
Malden, . . . Mr. John Greenland.
Chebnsford, . . . Mr. Stephen Pierce.
Billerica, . . . Mr. George Brown.
Sherburn, . . . Mr. William Rider.
Groton, . . . Mr. John Sheply.
Lancaster, . . . Mr. John Houghton.
Framingham, . . Mr. John Hemingway.
Lexington, . . . Mr. William Read.
Weston, . . . Capt. Francis Fulham.

COUNTY OF HAMPSHIRE.

Springfield, . . Mr. Joseph Stebbins.
Northampton, . . Joseph Parsons, Esq.
Hadley, . . . Samuel Porter, Esq.
Hatfield, . . . Mr. John Dickenson.
Southfield, . . . Mr. Jacob Adams.
Westfield, . . . Mr. Joseph Maudsley.
Enfield, . . . Mr. Samuel Terry.
Deerfield, . . . Mr. Thomas Wells.

COUNTY OF PLIMOUTH.

Plimouth, . . . Isaac Lothrop, Esq.
Scituate, . . . Mr. Thomas Turner.
Bridgewater, . . Capt. John Field.
Marehfield, . . . Mr. Anthony Eames.
Duxborough, . . . Mr. Thomas Loring.
Rochester, . . . Samuel Prince, Esq.
Plimpton, . . . Mr. William Shurtleif.
Middlborough, . . Mr. Malachi Halloway.

COUNTY OF BARNSTABLE.

Barnstable, . . . Mr. John Bacon.
Eastham, . . . Mr. John Payne.
Sandwich, . . . Mr. Samuel Jennings.
Yarmouth, . . . Mr. Zechariah Paddock, Jun.

¹ *Sic*, for John.

COUNTY OF BARNSTABLE— *Concluded.*

Harwich, . . . Mr. Chillingsworth Foster.
Truroe, . . . Mr. Thomas Payne.

COUNTY OF BRISTOL.

Bristol, . . . Capt. Samuel Gallop.
Taunton, . . . Henry Hodges, Esq.
Dartmouth, . . . Mr. Jonas Delano.
Rchoboth, . . . Mr. Nathaniel Brown.
Little Compton, Capt. William Southworth.
Swanzey, . . . John Rogers, Esq.
Tiverton, . . . Mr. Gershom Woodall.
Attleborough, . Mr. David Freeman.
Dighton, . . . Mr. Benjamin Jones.

COUNTY OF YORK.

York, Capt. Lewis Bane.
Kittery, . . . Mr. Joseph Hammond.
Wells, . . . Mr. William Sawyer.
Berwick, . . . Capt. Samuel Plaistead.

DUKES COUNTY.

Edgar Town, }
Chilmark, . . } Benjamin Skiff, Esq.
Tisbury, . . }

NANTUCKET.

Mr. Joseph Coffin.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-NINTH DAY OF MAY, A.D. 1717.

CHAPTER 1.

ORDER APPOINTING A COMTEE FOR BURNING UNSERVICEABLE BILLS.

THE FOLLOWING ORDER pass'd in the House of Represent^{es} Read & Concur'd, viz.

Ordered that Edward Hutchinson Samuel Thaxter Esq^r Cpt Habijah Savage, Charles Chambers, William Denison Jonathan Remington Esq^{rs} M^r Thomas Turner, M^r Timothy Lindal or the Major Part of them, with such as the Hon^{ble} Board shall nominate be a Committee to receive of the Treasurer such Bills of publick Credit in his Keeping as are torn defaced or unfit for further Service, Take an Accompt of the Number of each of the Sorts of the said Bills & the Sum the Sum^l the whole amounts to, & give the Treasurer a Receipt for them & burn the said Bills to Ashes & make Report of their Doings to this Court; Their Receipt to be a Discharge to the Treasurer equal to what the said Bills would have been if they had continued in his Hands.² [*Passed May 30.*]

Legislative
Records of the
Council, x.,
135.

House Jour-
nal, p. 3.

CHAPTER 2.

ORDER OF HEARING ON THE PETITION OF ROB^t SPURR &c. OF DORCHESTER ABOUT PROCEEDINGS OF A TOWN MEETING.

UPON READING a Petition of Major Robert Spurr. Standfast Foster & seventy five others Inhabitants of the Town of Dorchester, Praying that the Proceedings at the Town Meeting in the said Town in March last may be Declared null, Because the Meeting was not Legally warned;

Ordered that a Hearing be granted on the within Petition & the two other Petitions from Dorchester accompanying it, before the Court on the seventh Day of June next, And that Robert Spurr Esq^r &c the within Petitioners serve the adverse Party with a Copy of this Petition. [*Passed May 30.*]

Legislative
Records of the
Council, x.,
135.

House Jour-
nal, p. 3.

CHAPTER 3.

ORDER APPOINTING A COMMITTEE ON THE PETITION OF JOHN BRIDGHAM &c PRAYING FOR THE ESTABLISHMENT OF A TOWNSHIP.

IN ANSWER to the Petition of John Bridgham & four others, Praying that the Land contained in a Plat thereto annexed may be erected into a Township, & granted to them & their Associates, Agreeable to y^o former Petition;

Legislative
Records of the
Council, x.,
136.

House Jour-
nal, p. 4.

¹ *Sic.*

² No appointment by the Council is recorded, but the committee's report on the subject is signed by three additional members. Legislative Records of the Council, xi., 141.

Ordered that Samuel Thaxter John Chandler & Jonathan Remington Esq^{rs} be a Committee to go upon the Land Petitioned for & view the Scituation & Quality thereof, & inform themselves of the Circumstances of the Petitioners, that Desire a Grant of the Land for a Township, Whether they & such as join with them are a competent number, & such as are likeby¹ by themselves or Dependents to make a good & speedy Settlement thereof; And

Whether, If the Petition of the Inhabitants of Marlborough for a Part of the said Land be granted, The Remainder of the said Tract will not be thereby disadvantaged for a Township; And to make Report to the Court. [*Passed May 31.*]

CHAPTER 4.

RESOLVE ALLOWING £20 TOWARDS THE SUPPORT OF THE MINISTRY IN FALMOUTH.

Legislative
Records of the
Council, x.,
136.

House Jour-
nal, p. 4.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} in Answer to the Petition of the Town of Falmouth; Read & Concur'd; viz,

In Consideration of the low Circumstances of the Minister of the said Town, & that the Town are now about the good Work of Building a new Meeting House, & so less able to Enlarge his Salary;

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury for this Time for the Maintenance of the said Minister over & above what the Town gives him. [*Passed May 31.*]

CHAPTER 5.

ORDER APPOINTING A COMMITTEE ON THE PETITION OF JOHN BRADFORD &c. PRAYING FOR THE ESTABLISHMENT OF A TOWNSHIP.

Legislative
Records of the
Council, x.,
136.

House Jour-
nal, p. 4.

UPON READING a Petition of John Bradford Jacob Cook & thirty nine others Inhabitants of that Part of Plimouth near Jones's River, of the Inhabitants of the North East Part of Plympton & of the South East Part of the Town of Pembroke, Praying that a Tract of Land in which they dwell may be Erected into a Township or Precinct for their more convenient Attending & Carrying on the publick Worship of God;

Ordered that Cpt Henry Hodges Coll William Bassett & Cpt Will^a Southwell be a Committee to go upon the Place view & Consider the Scituation & Circumstances of the Petitioners & the Tract of Land which they desire should be made a Township of ¹ Precinct, And Report their Opinion to this Court, Whether it be reasonable the Prayer of the Petition should be granted, The Charge of y^e Committee to be born by the Petitioners. [*Passed May 31.*]

CHAPTER 6.

ORDER APPOINTING A COM^{TEE} TO ANSWER COMPLAINTS MADE AGST THE GOVERNMENT.

Legislative
Records of the
Council, x.,
137.

Ordered that the Hon^{ble} Samuel Sewall Andrew Belcher Addington Davenport, Adam Winthrop & Elisha Cook Esq^{rs} with such as the Hon^{ble} House of Represent^{ves} shall nominate be a Committee to con-

¹ *Sic.*

sider the Representation & Complaints against this Government, mentioned in M^r Agent Dummers Letter & make Report thereon

House Journal, p. 4.

[In the House of Representatives,

Read and concurred]

And Charles Chambers Samuel Thaxter Jonathan Remington Edward Hutchinson Esq^r Cpt Habijah Savage & Cpt Francis Fulham are joined in the Affair. [*Passed June 1.*

CHAPTER 7.

ORDER FOR LAYING OUT LAND, ON EPH^m CURTIS'S PETⁿ.

UPON READING a Petition of Ephraim Curtis, Praying that a Grant of Two Hundred & fifty Acres of Land made by y^e Generall Court in the Year One Thousand six hundred & seventy four to Ephraim Curtis (under whom he claims) to be laid out near the Town of Worcester in Liev of Land formerly granted to M^r John Norton may be confirmed to him :

Legislative Records of the Council, x., 137.

House Journal, p. 4.

Ordered that the Petitioner have Liberty to employ a Skilful Surveyour & Chain Men under Oath to take a Plat of the Land he petitions for agreeable to his Grant, & lay it before this Court at their next Session. [*Passed June 1.*

CHAPTER 8.

VOTE ON THE PETITION OF THE EAST PARISH IN REHOBOTH ABOUT TAXES FOR A MEETING HOUSE.

UPON READING A Petition of Samuel Peck in Behalf of the Congregation at Palmers River in the Town of Rehoboth Setting forth that the two Congregations in the said Town agreed to raise on the said Town Two Hundred & Fifty Pounds, Two Hundred Pounds thereof to be towards Building of a Meeting House in the West Part of the said Town, & Fifty Pounds towards finishing the Meeting House at Palmers River on the East Part of the said Town, And altho the said Sum of Two Hundred & Fifty Pounds has been assess'd on the said Town, The Congregation at Palmers River cannot obtain their Fifty Pounds due to them as their Proportion, Praying this Court to order Justice to be done them :

Legislative Records of the Council, x., 137.

House Journal, p. 5.

The Represent^{ves} of the Town of Rehoboth, who belongs¹ to the West Part of the Town, Acknowledging that the Allegations in the Petition are true, And that according to the Agreement of the two Congr[eg]ations, the Sum of Fifty Pounds. as sett forth in the Petition ought to be delivered to the Congregation at Palmers River for finishing their Meeting-House :

Voted that the Select-Men of the said Town be Directed to call a Town Meeting & propose to the Town (And the Town is hereby advised) to pass a Vote that Fifty Pounds of the said Two Hundred & Fifty Pounds be paid to the Congregation at Palmers River for the Use it was intended in the first Raising the same. [*Passed June 4.*

¹ *Sic.*

CHAPTER 9.

VOTE ACCEPTING THE PROPOSALS AB^T THE PAY FOR THE VESSELL & COMPANY EMPLOYED AGAINST THE PIRATES, WITH ENCOURAGEM^T TO GO AFTER THE PIRATES.

Legislative
Records of the
Council, x.,
138.

Mass.
Archives, ii.,
165, 166.
House Jour-
nal, p. 5.
Hutchinson's
History Mass.
Bay, ii., 223,
note. Sewall's
Diary, iii., 129
bis. Winthrop
Papers, Part
vi., 343.

THE FOLLOWING PROPOSALS were sent down by a Message from y^e Board; viz. That the Officers, Company & Vessel lately returned from a Cruise after the Pirates on this Coast be paid as follows; viz,

The Captain Seven Shillings	} per Diem
The Leivtenant, Three shillings & six pence	
The Warrant Officers two shillings & six pence	
The Foremast-Men eighttteen pence	

The Vessel after the Rate of seven shillings per Ton per month, And that the said Vessel with a suitable Number of Men be Continued in the Service for Defence of the Coast, untill his Majestys Ship expected for this Station shall arrive

Voted that the abovementioned Proposals be Accepted & Complied with, Saving that the Vessel be continued in Pay until the next Session of this Court only, If the Government shall see Occasion for it so long: And for the further Encouragement of this Service,

Resolved that there be allowed & paid out of the publick Treasury to the Officers & Company of any Vessel taken up & sent forth by the Government between this & the next Session of this Court, Five Pounds for every Pirate they shall kill or take, And Ten Pounds for each Great Gun they shall take in any Pirate Vessel mounted at y^e Time of Caption: The said Premium to be divided in the following manner; viz, Three Shares to the Captain, Two Shares to the Lievtenant, One Share & an half to each Warrant Officer, & a single Share to each Foremast Man or Mariner. [*Passed June 4.*]

CHAPTER 10.

ORDER OF HEARING ON CAMBRIDGE PET^N IN REGARD TO THE REGISTRY OF DEEDS.

Legislative
Records of the
Council, x.,
139.

House Jour-
nal, p. 6.
Sewall's
Diary, iii., 132
ter.

UPON READING a Petition of Jonathan Remington Esq^r Representative of the Town of Cambridge, Praying that the Office of Registring Deeds & Conveyances of Lands for the County of Middlesex may be opened & kept in the said Town, as the Law directs, It being the Shire Town of y^e s^d County

Upon a Motion being made by the Representatives of Charlestown, who assert their Town to be the Shire Town of the County;

Ordered that they receive a Copy of this Petition, And that they may be heard before this Court on Wednesday next in Answer thereto. [*Passed June 5.*]

CHAPTER 11.

ORDER ACCEPTING THE COMMITTEE'S REPORT OF BURNING UNSERVICEABLE BILLS AND DISCHARGING THE TREASURER.

IN OBEDIENCE to an Order of the Great & General Court at their present Session in May 1717, Appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c We have accordingly received of M^r Treasurer Allen the Several Bills of the Denominations in the Accompt on the other side, amounting to the Sum of Eleven Thousand two hundred & five Pounds twelve shillings & four pence half penny, at their Express Value, All of which Bills, We have consumed to Ashes, Whereof Four Hundred Forty two Pounds eleven shillings & one Penny, Part of the abovesaid Sum were delivered us upon Accompt of the Province, As being receiv'd for Taxes, Impost & Excise, Wh^h, with the five ^p Cent Adv^a as they were taken into the Treasury, amounts to the Sum of Four Hundred sixty four Pounds thirteen shillings & seven pence, Also Five Hundred thirty nine Pounds & three pence nett Bills received for the Province Sloop Ann, And Ten Thousand two Hundred & twenty four Pounds & two shillings nett Bill received of the Trustees mentioned on the other Side, Making in the Whole, Eleven Thousand Two Hundred twenty seven Pounds fourteen shillings & six¹ pence; As Witness our hands this thirty first of May 1717.

JON^A REMINGTON
TIM^O LINDALL
THOMAS TURNER
CHA^{LES} CHAMBERS
EDWARD HUTCHINSON
HABIJAH SAVAGE

W^M DENISON
JN^O WHEELWRIGHT
EDMUND QUINCEY
ELISHA COOK
SAM^{LL} THAXTER

Legislative
Records of the
Council, x.,
140.
House Jour-
nal, p. 6.

The following Order pass'd in the House of Represent^{ves} upon the above Report of the Committee: Read & Concur'd; viz^t

Ordered that the Treasurer be discharg'd accordingly. [*Passed June 6.*]

CHAPTER 12.

RESOLVE ALLOWING £11. 2 TO JOS. SEVERANCE.

UPON THE PETITION of Joseph Severance a late Soldier wounded in y^e publick Service,

Resolved that the Sum of Eleven Pounds two shillings be allow'd & paid out of the publick Treasury to Joseph Severance the Petitioner to reimburse him the Sum expended on his Surgeon & for Diet &c when under Cure, And the further Sum of Ten Pounds in full for his Loss of Time & Smart. [*Passed June 6.*]

Legislative
Records of the
Council, x.,
141.
House Jour-
nal, p. 7.

¹ In the account itself this is ten pence.

CHAPTER 13.

ORDER ON SHERBURN PETITION PRAYING FOR LAYING OUT LAND TO THAT TOWN.

Legislative
Records of the
Council, x.,
142.

House Jour-
nal, p. 7.

UPON READING the Petition of William Rider Representative of the Town of Sherburn, Praying that Three Thousand Acres of Land may be granted to the said Town, to be laid out contiguous to the Four Thousand Acres lately granted them in Liev of Seventeen Families sett off from the s^d Town to the Town of Framingham for Reasons therein alledged :

Ordered that the Prayer of the Petition be so far granted that the Petitioners are allowed to take a Plat of Three Thousand Acres of Land in the Place they mention by a Surveyour & Chain Men under Oath, & lay it before this Court for Confirmation. [*Passed June 6.*]

CHAPTER 14.

ORDER ON SAM^L & DOROTHY MORRICE'S PETITION, CONFIRMING TITLE TO LAND.

Legislative
Records of the
Council, x.,
142.

Mass.
Archives, xlv.,
243, 251; lix.,
234, 236; cv., 32.
House Jour-
nal, p. 8.

UPON READING a Petition of Samuel Morrice & Dorothy his Wife in Behalf of themselves & the Children & Heirs of Joseph How late of Marlborough Dec^d Who was former Husband of y^e s^d Dorothy, Praying the Confirmation of a Tract of Land of Three Hundred Acres, granted to William Habberfield Anno 1698, Wh^h was by him sold to Tho^o How, & by him to y^e s^d Joseph How, And a Plat of Three Hundred Acres of Land protracted by John Bridgham exhibited therewith :

Ordered that the Land contain'd & delineated in this Plat be allowed & Confirmed, as y^e Three Hundred Acres granted to M^r William Habberfield Anno 1698, Provided it entrench not upon any former Grant & contains no more than the Quantity granted. [*Passed June 7.*]

CHAPTER 15.

ORDER OF HEARING ON SALISBURY PETITION, PRAYING CONFIRMATION OF AN AGREEMENT RELATING TO THE MINISTRY.

Legislative
Records of the
Council, x.,
141.

House Jour-
nal, p. 11.
Post, p. 550,
chap. 84.

UPON A PETITION of Joseph Eaton, William Bradbury, & forty five others, Inhabitants of the Town of Salisbury, Praying this Court to ratify & confirm a reasonable Agreement which the said Town have made among themselves relating to the Maintenance of the Gospel Ministry & building Meeting Houses in the said Town, concerning which Contention is arisen in the Town, several Persons endeavouring to make void the same :

Ordered that the Petitioners serve the adverse Party with a Copy of this Petition, That they may be hear'd thereon upon the second Wednesday of the fall-Sessions of this Court, Unless the Partys agree within that Time, And that in the mean Time the Rev^d M^r Caleb Cushing continue to preach at the old Meeting House within the said Town of Salisbury. [*Passed June 11.*]

CHAPTER 16.

VOTE CONFIRMING ACTS OF A TOWN MEETING IN DORCHESTER IN
RELATION TO THE CHOICE AND POWER OF OFFICERS.

UPON A FULL HEARING had on Fryday y^e seventh Curr^t before y^e whole Court upon y^e within Petition of y^e Inhabitants of Dorchester,¹
Voted y^t y^e Prayer of y^e Petition be not granted, And y^e Acts of y^e s^d Town-Meeting are so far confirmed as relates to y^e Choice & Power of Officers; And y^t y^e allowing y^e Meeting so far on this extraordinary Occasion be not improv'd to Countenance any Neglect in y^e warning of Town Meetings for the Future. [*Passed June 11.*]

Legislative
Records of the
Council, x.,
143.

Legislative
Records of the
Council, x.,
142, 143.
House Jour-
nal, p. 11.

CHAPTER 17.

ORDER CONFIRMING TO WOBURN PLAT OF 2,000 ACRES OF LAND.

A PLAT of Two Thousand Acres of Ground laid out for y^e Town of Woburn, by Joseph Burnap Surveyour & Chain Men under Oath Pursuant to a Vote of this Court the twentieth² of November last was presented; &

Ordered that the Land describ'd & delineated in the Plat on the other side be confirmed to the Town of Woburn in Satisfaction of a Grant made to them in October 1664, Provided it entrench upon no former Grant, & contain no more than the Quantity granted. [*Passed June 11.*]

Legislative
Records of the
Council, x.,
144.

Mass.
Archives,
cxii., 162.
House Jour-
nal, p. 11.

CHAPTER 18.

ORDER CONFIRMING TO JOSIAH CHAPIN A PLAT OF 200 ACRES OF
LAND.

A PLAT of Two Hundred Acres of Land laid out by Thomas White Surveyour & Chain Men under Oath, Pursuant to a Vote of this Court the second of June 1716; In Answer to the Petition of Josiah Chapin Esq^r,³ Was presented for Confirmation; And

Ordered that the Land protracted in this Plat be allowed & Confirmed, as the Two Hundred Acres of Land granted to Samⁿ Chapin Anno 1664, Provided it entrench upon no former Grant. [*Passed June 11.*]

Legislative
Records of the
Council, x.,
144.

House Jour-
nal, p. 12.

CHAPTER 19.

ORDER ON DEERFIELD PETITION FOR CONFIRMATION OF THEIR GRANT
OF LANDS.

UPON READING a Petition of Thomas Wells Representative of y^e Town of Deerfield, Setting forth that the General Court in y^e Year 1673, granted to the said Town an Addition of a Tract of Land that

Legislative
Records of the
Council, x.,
144.

¹ The petition has not been found, but its nature may be inferred from what follows in the vote.

² House Journal, p. 11, reads "28 November."

³ *Ante*, chap. 7, p. 464.

House Journal, p. 11.

was to be laid out at the North End of the said Town, & to contain the quantity of Seven Miles Square, W^h Land was accordingly laid out, & the Bound Marks now to be seen; But upon Searching the Records they cannot find any Entry thereof, Praying that it may be now allowed & Confirmed, & be of Record to prevent future Trouble,

Ordered that the Petitioners may take a Plat of ye additional Grant of y^e Quantity of Seven Miles Square in y^e Whole pursuant to the ancient Bounds by a Surveyour & Chain Men under Oath, & lay it before y^s Court for Confirmation at y^r Sessions y^e next Fall. [*Passed June 11.*]

CHAPTER 20.

RESOLVE THAT CAMBRIDGE IS THE SHIRE TOWN OF THE COUNTY OF MIDDLESEX.

Legislative Records of the Council, x., 145.

UPON A HEARING Yesterday of the Towns of Cambridge & Charles-town as to their respective Claims of being the Shire Town of the County of Middlesex

House Journal, p. 13.
Province Laws, II., 33.

Resolved that Cambridge is the Shire Town of the said County. [*Passed June 14.*]

CHAPTER 21.

RESOLVE ALLOWING £70 TO GEORGE WORTHYLAKE.

Legislative Records of the Council, x., 146.

THE FOLLOWING RESOLVE past in the House of Represent^{ves} In Answer to the Petition of George WorthyLake: Read & Concur'd; viz.

House Journal, p. 12.

Resolved that the Sum of Seventy Pounds be allowed to the Petitioner for his Service in taking care of the Light House the Year ensuing. [*Passed June 14.*]

CHAPTER 22.

VOTE ALLOWING C^O TREAS^R OF MIDDLESEX ACCO^TS.

Legislative Records of the Council, x., 146.

THE ACCO^T of M^r Daniel Russell Treasurer of the County of Middlesex from May 1711 to May 1714 Allowed in the House of Representatives

House Journal, p. 12.

Read & concur'd. [*Passed June 14.*]

CHAPTER 23.

RESOLVE ALLOWING £12. 18 TO HEN. BRIDGHAM.

Legislative Records of the Council, x., 146.

House Journal, p. 12.

Resolved that the Sum of Twelve Pounds eighteen shillings be allowed & paid out of the publick Treasury to Henry Bridgham to discharge his Accompt of Dining the Represent^{ves}. [*Passed June 14.*]

CHAPTER 24.

ORDER ON PROPRIETORS OF FALMOUTH PETITION FOR SETTLING A TOWN.

UPON READING the Petition of John Higginson & thirty four others Proprietors of the Township of Falmouth in Casco Bay, Praying leave to go & settle a Town there in a regular & defensible Manner as may be, Thirty Families being now ready to go thither;

Ordered that the prayer of the Petition be Granted, & that the Petitioners apply themselves to the Committee Appointed by this Court in June 1715 to prosecute the regular Settlement of the Eastern frontiers for advice in the manner of their Settlement. [*Passed June 14.*]

Legislative
Records of the
Council, x.,
146. Mass.
Archives, vi.,
472.

Mass.
Archives, vi.,
470, 471. House
Journal, p. 13.
Ante, p. 336,
chap. 25.

CHAPTER 25.

VOTE ALLOWING ACC^{TS} OF M^R TREAS^R ALLEN.

THE ACCOMPT of M^r Jeremiah Allen Treasurer & Receiver Gen^l of this Province, beginning the 30th of May 1716; & Continued unto the 31st Day of May 1717, Amounting to the Sum of Fifty One Thousand Eight Hundred fifty eight Pounds eight shillings & eleven pence, Having been presented & laid before the House of Represent^{ves} & Inspected by s^d House, by which it appears, there was standing out on said Thirty first Day of May, Five Thousand six Hundred Eighty nine Pounds three shillings & six pence of the Taxes, Two Thousand Five Hundred thirty seven Pounds eleven shillings & nine pence Nett Province Bills, & Thirteen Thousand six Hundred Twenty two Pounds three shillings & three pence Province Bills with y^e Five p Cent advanced thereon in the Treasury, & further to be accounted for;

Voted that the said Accompts in the several Articles of Receipts and Payments therein mentioned, Amounting unto the Sum of Thirty Thousand & nine Pounds ten shillings & five pence, be & are hereby allowed of, And the Treasurer is hereby discharg^d of the said Sum Thirty Thousand & Nine Pounds ten shillings & five Pence. [*Passed June 14.*]

Legislative
Records of the
Council, x.,
146.

Mass.
Archives,
cxxxiii., 74-94.
House Jour-
nal, p. 8.

CHAPTER 26.

RESOLVE FOR KEEPING THE REGISTRY OF DEEDS AT CAMBRIDGE.

Resolved that Pursuant to an Act entituled An Act for the more safe Keeping the Registry of Deeds & Conveyances of Lands made & past at a Session of the Great & Generall Court or Assembly at Boston the 25th of May 1715, That the publick Office for Registring of Deeds & Conveyances of Lands for the County of Middlesex, be forthwith opened & kept at the Shire Town of Cambridge. And that all Deeds & Conveyances of Lands that have been Recorded in y^e Office of Charlestown since the making the aforesaid Act, Notwithstanding their being there Recorded, be Declared & hereby are made good, & valid, to all Intents & Purposes in the Law whatsoever: Any Law Usage or Custom to the contrary notwithstanding. [*Passed June 15.*]

Legislative
Records of the
Council, x.,
147.

House Jour-
nal, p. 14.
Province
Laws, ii., 8, 33.

CHAPTER 27.

ORDER GRANTING MAL. HALLOWAYS PETITION FOR LAYING OUT LAND.

Legislative
Records of the
Council, x.,
148. Mass.
Archives,
ccxliii., 21.

Mass.
Archives, xlv.,
110; ccxliii.,
21. House
Journal, p. 7.

UPON READING a Petition of Malachi Hallowell¹ of Middleborough Praying that he may have Liberty to take up & lay out by a skilful Surveyour & Chain Men under Oath One Hundred & Fifty Acres of Land to fulfil a Grant of so much that was made to his Father William Halloway by the General Court, Anno 1662, for Service done to the Publick, Wh^h Grant has not yet been satisfied;

Ordered, That the Prayer of this Petition be Granted. [*Passed June 15.*]

CHAPTER 28.

RESOLVE ON THO^s PALMER &c PETITION, ALLOWING TIME FOR SETTLING ON LANDS IN WORCESTER.

Legislative
Records of the
Council, x.,
147.

House Jour-
nal, p. 15.

UPON READING a Petition of Thomas Palmer John Oulton Cornelius Waldo Philip Hedman & Job Lewis of Boston Merch^{ts} Setting forth that they have lately entituled themselves to the Rights of Lands in Worcester which Cp^t John Wing died seized of, Praying that a further time for the Building on & Settling of their Lands may be allowed them;

Resolved that on the Consideration within mentioned, the Petitioners be allowed the further Time of Twelve Months to Comply with the Conditions on which the Lots were granted, The[y] applying themselves forthwith to the Performance of y^e said Conditions. [*Passed June 17.*]

CHAPTER 29.

VOTE FOR A TAX OF £11,000 ONLY.

Legislative
Records of the
Council, x.,
148.

House Jour-
nal, p. 14.
Province
Laws, ii., 94.

Voted that Eleven Thousand Pounds only of the Twenty Two Thousand Pounds granted in the Years One Thousand seven Hundred & Eleven, & One Thousand seven Hundred & twelve, be levied & collected this present Year

And that the Duties of Impost & Tunnage of Shipping & Excise together with the Income of the Bills let out & the Light House be a fund & security for the drawing in the Remaining Eleven Thousand Pounds. [*Passed June 17.*]

CHAPTER 30.

ORDER ON JOHN SMITHS PETITION, ALLOWING TIME FOR SETTLING ON LAND AT WORCESTER.

Legislative
Records of the
Council, x.,
149.

House Jour-
nal, p. 15.

UPON READING a Petition of John Smith of Boston in behalf of himself & Mr John Eliot, Owners of Eightteen Ten Acre Lotts in the Town of Worcester, Wh^h Major Daniel Gookin died seiz'd of, Praying that they may be allowed One Year more for Building two Houses

¹ *Sic* for Halloway. — See State Library copy, Legislative Records of the Council, x., 164.

& Settling two Families on the said Land, The three Years limited by this Court for that End, upon Penalty of forfeiting the Lands, expiring the fourteenth Currant

Ordered that the Prayer of the Petition be granted. [*Passed June 18.*]

CHAPTER 31.

VOTE ALLOWING C^O TREAS^R OF YORK ACCO^T.

THE ACCOMPT of Joseph Hammond Treasurer of the County of York for y^e Year 1716 Allowed by the House of Represent^{ves}
Read & Concur'd. [*Passed June 18.*]

Legislative
Records of the
Council, x.,
149.

House Jour-
nal, p. 14.

CHAPTER 32.

VOTE ALLOWING C^O TREAS^R OF BARNSTABLE ACCO^Ts.

THE ACCOMPT of Ebenezer Lewis Treasurer of the County of Barnstable for the Year 1716: Allowed by the House of Represent^{ves}
Read & Concur'd. [*Passed June 18.*]

Legislative
Records of the
Council, x.,
149.

House Jour-
nal, p. 15.

CHAPTER 33.

RESOLVE ALLOWING £10 TOWARDS THE SUPPORT OF THE MINISTRY AT TISBURY, &c.

UPON READING the Petition of Robert Catchcart Clerk of the Town of Tisbury, Praying Assistance from the publick Treasury for Maintenance of their Minister, for Reasons assigned in the Petition;

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury for this Time towards the maintenance of the Ministry in the Town of Tisbury: And that the said Town be advised to unite & make one Congregation with the Town of Chilmark in Carrying on the publick Worship of God as soon as may be. [*Passed June 18.*]

Legislative
Records of the
Council, x.,
149.

House Jour-
nal, p. 15.

CHAPTER 34.

ORDER FOR CONTINUING THE GUARD AT GEORGETOWN.

UPON READING the Petition of John Watts & Edward Hutchinson Esq^{rs} Praying the Continuance of the Guard of Soldiers that were formerly allowed at George Town on Arrowsick Island forr one Year more,

Ordered that the Prayer of the Petition be so far granted that an Officer with fifteen Centinals be allowed for the Covering of y^e Settlement at George Town for one Year more at the Charge of the Publick. [*Passed June 18.*]

Legislative
Records of the
Council, x.,
149.

House Jour-
nal, p. 15.

CHAPTER 35.

ORDER ON THE PETITION OF THO^s FITCH, NATH^l CAREY &c. GRANTING
A CONTINUANCE OF THE LOAN.Legislative
Records of the
Council, x.,
149.House Jour-
nal, p. 15.

UPON READING a Petition of Thomas Fitch Nath^l Carey, Sam^l Greenwood, Charles Chambers & Oliver Noyes Setting forth, That they were appointed a Committee by this Court to provide sundry Necessaries for the Train of Artillery &c Directed by her late Majesty to be here provided for the Expedition against Canada Anno 1711, And for the Sums they advanced in that Service they receiv'd Bills of Excha^{se} upon the Lord High Treasurer of Great Britain, Of which not any part of the said Bills have been as yet paid, And the Petitioners had the Loan of Three Thousand eight hundred & twelve Pounds eight shillin^{gs} & seven Pence granted them in Bills of Credit out of the publick Treasury in consideration of their being in advance for that Service, Wh^h they are obliged to pay into the Treasury in July next, Praying the continuance of the Loan for one Year more :

Ordered that the Prayer of the Petition be granted. [*Passed June 18.*

CHAPTER 36.

VOTE APPOINTING A COM^{tee} FOR EXPEDIENTS FOR KEEPING UP THE
CREDIT OF THE PUBLICK BILLS.Legislative
Records of the
Council, x.,
150.House Jour-
nal, p. 15.

Ordered that Habijah Savage Cpt Joseph Wadsworthth Jonathan Remington, Edw^d Hutchinson & Jon^a Dowse Esq^{rs} with such as the Hon^{ble} Board shall appoint, be a Committee During the present Session of this Court, to consider that part of his Excellencys Speech wh^h relates to the Keeping up the Credit of the publick Bills, & Report such expedient as they think will be most effectual for that End.

[In Council,

Read and concurred]

And the Hon^{ble} Elisha Hutchinson, Sam^l Sewall, Eliak^m Hutchinson & Addington Davenport Esq^{rs} are added to the Committee for the said Affair. [*Passed June 18.*

CHAPTER 37.

RESOLVE ALLOWING £6 TO ROGER BILLINGS FOR A BLIND INDIAN.

Legislative
Records of the
Council, x.,
150.House Jour-
nal, p. 16.

Resolved that the Sum of Six Pounds be allow'd & paid out of the publick Treasury to Roger Billing the Petitioner, to be improv'd according to his best discretion for the Use & Benefit of Thomas Oncun-ganny, the blind Indian mention'd in the Petition. [*Passed June 18.*

CHAPTER 38.

RESOLVE ALLOWING £15 TO PAUL DUDLEY ESQ^R ATTORNEY GENERAL.Legislative
Records of the
Council, x.,
150.

Resolved that the Sum of Fifteen Pounds be allow'd & paid out of the publick Treasury to M^r Attorney Generall Dudly for the Service mention'd in the Petition. [*Passed June 18.*]

House Jour-
nal, p. 16.

CHAPTER 39.

ORDER APPOINTING A COM^{TEE} FOR RUNNING THE LINE ON RHODE ISLAND.

THE SEASON of the Year having been such this Spring, that the Committee appointed to run the Line between this Government & y^e Governm^t of Rhoad Island in November last, could not attend that Service

Legislative
Records of the
Council, x.,
150.

Ordered that the Hon^{ble} Nath^l Payne Esq^r Sam^l Thaxter Esq^r & John Chandler Esq^r be a Committee to join with such as the said Govern^t of Rhoad Island shall impower, to proceed in & perfect the Running & Settling the Line between this Province & the said Colony, Pursuant to the Agreement lately made for that End by Commissioners of both Governments

House Jour-
nal, p. 16.

And His Excy the Governour is requested to write pressingly to that Government to Impower & send Persons to issue the said Affair as soon as possible; But if the Government of Rhoad Island continue to neglect for y^e Space of four Months to join in the Affair, The Committee of this Govern^{mt} be Directed to proceed & Issue it according to s^d Agreement. [*Passed June 18.*]

CHAPTER 40.

ORD^R FOR THE IMPOST OFFICERS ISSUING HIS ACCO^{TS} EVERY YEAR;
COM^{TEE} TO INSPECT IMPOST OFFICERS ACCO^{TS}.

Ordered that the Impost Officer be Directed to issue & ballance his Accompt with every Person Yearly, So that he may have them ready to offer to this Court in May Sessions; And that there be a standing Committee of two Persons annually appointed to inspect the Accompts of the said Officer as often as they see cause, And make Report every Year at the Session in May; Edward Hutchinson Esq^r & M^r Joseph Wadsworth to be a Committee for the said Service for the Year Current. [*Passed June 19.*]

Legislative
Records of the
Council, x.,
151.House Jour-
nal, p. 17.

CHAPTER 41.

VOTE FOR CONTINUING THE DIVISIONAL LINE, BETWEEN THIS GOV,
ERNM^t & CONNECTICUT.

WHEREAS it is apparent to this House that the Colony of Connecticut are issuing out some new Settlements higher up the Country than the Line between this Government & that has yet been settled, And

Legislative
Records of the
Council, x.,
152.

House Journal, p. 17.

some Persons of y^e Province are desirous to make some further Inland Settlements,

To the Intent that no Errour be committed by the Inhabitants of either Government in Setting out their respective Bounds :

Voted that His Ex^{cy} the Governour be requested to write to y^e Government of Connecticut, Desiring them to appoint & fully impower Commissioners to join with Commiss^{rs} of this Govern^{mt} to run & continue the Devisional Line between the Governments by sufficient durable Marks & Monuments untill they shall have past five Miles to the Westward of Housatnock River; That the said Commiss^{rs} be desired & directed to perambulate the Line lately settled between the Govern^{mts}, & renew the Marks & add more to them if they see it needfull, That Samuel Porter Samuel Thaxter & John Chandler Esq^{rs} be appointed & fully impower'd Commiss^{rs} in Behalf of this Province for the Affairs aforesaid; Who are instructed to govern themselves in the further Continuance of the Line by the Direction in the Royal Charter to the late Colony of the Massachusetts Bay, And to make Report of their Doings to this Court. [*Passed June 20.*]

CHAPTER 42.

RESOLVE ALLOWING £150 TO THE PRECINCT OF CAPE COD TOWARDS BUILDING A MEETING HOUSE.

Legislative Records of the Council, x., 152.

House Journal, p. 18.

UPON READING the Petition of Ebenezer Doan in Behalf of the Inhabitants of Cape Cod, Praying an Allowance out of the publick Treasury for the Building a Meeting House for the publick Worship of God there;

Resolved that the Sum of One Hundred & Fifty Pounds be allowed & paid out of the publick Treasury, towards building a meeting House for the Precinct at Cape-Cod, That Thomas Payne Esq^r Cpt. Ebenezer Doan & M^r John Snow be a Committee to receive & lay out the same Sum & build y^e House of the Dimensions of Thirty two Feet long, Twenty eight Feet wide & fifteen Feet Stud, with Galleries on three Sides; And the Inhabitants of the said Precinct are obliged to keep the said House in Repair, & supply such further Sum as may be needfull to finish the House, if any be; Which the Assessors of the Town of Truro for the time being are Impower'd & Directed to Assess & Gather in such manner as the Law directs for the raising Money on the said Precinct for the making up their Ministers Salary & Deliver to the said Comm^{tee}. [*Passed June 20.*]

CHAPTER 43.

ORDER ON THE PETITION OF THO^s PRENTICE &c OF WORCESTER ALLOWING TIME FOR SETTLING ON LANDS IN WORCESTER.

Legislative Records of the Council, x., 152.

House Journal, p. 18.

UPON READING a Petition of Thomas Prentice, Nath^l Jones, Ichabod Brown & Daniel Henchman in behalf of himself & Major Daniel Henchman Praying that they may be allow'd One Year for Building & Settling on their Lands at Worcester. The three Years limited by this Court for that End, under Penalty of Forfeiture of the said Lands being lapsed.

Ordered that the Prayer of the Petition be granted. [*Passed June 20.*]

CHAPTER 44.

RESOLVE ALLOWING £54. 17. 9 TO BART. GREEN.

THE FOLLOWING RESOLVE pass'd in the House of Represent^{ves} upon the Accompt of Bartholemew Green Printer: Read & Concur'd: Viz

Resolved that the Sum of Fifty four Pounds seventeen Shillings & nine Pence be allow'd & paid out of the publick Treasury to the said Accomptant to Discharge his Accompt. [*Passed June 20.*]

Legislative
Records of the
Council, x.,
153.

House Jour-
nal, p. 19.

CHAPTER 45.

RESOLVE ALLOWING £30 TOWARDS THE MAINTENANCE OF THE MINISTRY AT WINTER HARBOUR.

UPON READING a Petition of John Lane & thirteen others principal Inhabitants in & about Winter Harbour. presented to the House, Praying Allowance out of the publick Treasury towards y^e Support of a Minister there

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury towards the support of the Ministry at Winter Harbour for one Year, to begin the first Day of October next, if they have a Minister & ¹ proportionably for what time they shall have one. [*Passed June 20.*]

Legislative
Records of the
Council, x.,
153.

House Jour-
nal, p. 19.

CHAPTER 46.

ORDER OF HEARING ON KNOWLTON & BUCKMANS PETITION, PRAYING TO BE ANNEXED TO THE HAMLET OF IPSWICH.

UPON READING a Petition of Thomas Knolton & Jeremiah Buckman of Ipswich Praying that they may belong to the Precinct called the Hamlet & not to Chebacco for Reasons they mention;

Ordered that the Petitioners serve the Precinct of Chebacco with a Copy of this their Petition, that they may shew reason if any they have, Why the Prayer thereof should not be granted, to this Court on the first Tuesday of their Sessions in the next Autumn. [*Passed June 20.*]

Legislative
Records of the
Council, x.,
153.

House Jour-
nal, p. 19.

CHAPTER 47.

ORD^R FOR PUTTING IN SUIT BONDS FOR THE £40,000 LOAN.

Ordered that the Treasurer be directed to put in Suit the Bonds of all such, who have any part of the first Forty Thousand Pounds Loan of publick Bills that was lent to Enable them to furnish Supplies to the Army & Fleet that was design'd in the late War against Canada under Command of General Hill & Admiral Walker, If the Obligors do not discharge their Bonds within one Month after the time expired that the said Loan was continued to them for. [*Passed June 20.*]

Legislative
Records of the
Council, x.,
153.

House Jour-
nal, p. 19.

¹ *Sic.*

CHAPTER 48.

ORDER ON ELIZ^A HOBARTS PETITION, PRAYING FOR THE LAYING OUT OF LANDS.

Legislative
Records of the
Council, x.,
153.

Mass.
Archives, xi.,
1. House Jour-
nal, p. 18.

UPON READING a Petition of Elizabeth Hobart Relict Widow of Jeremiah Hobart late of Hadham Clerk Dec^d Praying that Six Hundred Acres of Land Granted in May 1679 to M^r Samuel Whiting Sen^r of Lyn which now belongs to the Petitioner may be laid out in some unappropriated Land of y^s Province

Ordered that the Petitioner have leave to lay out Six Hundred Acres of Land in some unappropriated Province Lands in one regular Tract by a skilful Surveyour & Chainmen upon Oath, & lay a Plat thereof before this Court for Approbation. [*Passed June 20.*]

CHAPTER 49.

ORD^R FOR RUNNING THE LINE BETWEEN ENFIELD & SPRINGFIELD.

Legislative
Records of the
Council, x.,
154.

House Jour-
nal, p. 19.

Ordered that the Commissioners appointed by this Court to join in continuing the Line between this Province & Connecticut be Instructed to continue & finish the Line between the Towns of Springfield & Enfield begun by the said Commiss^{rs} at the Charge of the said Town. [*Passed June 20.*]

CHAPTER 50.

RESOLVE FOR GRANTING £3,000 IN BILLS OF CREDIT, AND PROVIDING SECURITY.

Legislative
Records of the
Council, x.,
154.

House Jour-
nal, p. 19.
Province
Laws, ii., 96.

Resolved that the Treasurer be & hereby is Directed & Impowered to Issue forth & Emit of the Bills of publick Credit receiv'd into the Treasury the Sum of Three Thousand Pounds for Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government & the necessary Protection & Preservation of the Inhabitants of this Province & for the Subsisting of Forts & Garrisons & Wages arising for their Service, for Payment of Grants, Salaries & Allowances made or to be made by this Court, according to such Draughts as from time to time shall be made upon him by Warrant or Order from the Governour or Commander in chief for the time being, By & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to money, and shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent. more.

And as a Fund & Security for the same, There be & hereby is Granted to his most Excellent Majesty to the Ends & Uses as aforesaid a Tax of Three Thousand Pounds to be levied on Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportions upon the several Towns & Districts within the same, as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in may Anno 1720, & paid into the Treasury on or before the last Day of December next after. [*Passed June 20.*]

CHAPTER 51.

ORDER APPOINTING A COM^{TEE} FOR BURN^G BILLS IN THE RECESS OF THE COURT.

Ordered that the Represent^{ves} of Boston Charlestown & Roxbury with such as the Hon^{ble} Board shall nominate be a Committee at any time (between this Session & the Session of this Court in May next) when the Treasurer shall have Two Thousand Pounds or more Bills in the Treasury that are defaced & unfit for Use, at his Application to them, to take an Accompt of the Number of each of the Sorts of the said Bills & the Sum the whole amounts to, & give the Treasurer a Receipt for them, and burn the said Bills to Ashes; And make Report of their Doings to this Court as often as there shall be opportunity; Whose Receipt shall be a Discharge to the Treasurer equal to wh^t the said Bills would have been, if they had continued in his hands:

[In Council,

Read and concurred]

And the Hon^{ble} Penn Townsend Thomas Hutchinson & Thomas Fitch Esq^{rs} are added to the Committee. [*Passed June 21.*]

Legislative
Records of the
Council, x.,
155.House Jour-
nal, p. 20.

CHAPTER 52.

RESOLVE APPOINTING A COM^{TEE} TO INSPECT THE BONDS FOR THE CANADA LOAN.

Resolved that Eliak^m Hutchinson Addington Davenport & M^r Treasurer Allen be Impowered & Directed to Inspects¹ the Bonds of such Persons who have or may have the Payment of the Loan Money supplied to the Canada Expedition respited or further Continued & take other or better Security, if they judge it needful; And in Default of Giving such Security, That the Bonds be forthwith put in Suit. [*Passed June 21.*]

Legislative
Records of the
Council, x.,
155.House Jour-
nal, p. 21.

CHAPTER 53.

ORDER APPOINTING COMMISSIONERS OF SEWERS.

UPON READING a Petition of Col^o Edmund Goffe & fifteen others Proprietors of a Tract of Meddow & Low Land adjoining to the Brook running from Fresh Pond & Spy Pond in Cambridge within the County of Middlesex, Setting forth that the said low Land is greatly damnified by the Overflowing of the Waters by reason of Stopages in the said Brooks, Praying they may have Commissioners of Sewers appointed, Pursuant to the Law of this Province

Ordered that the Prayer of the said Petition be Granted, & that Major Jonas Bond of Watertown, M^r John Whittemore of Medford & M^r Francis Bowman of Lexington be & hereby are appointed & impowered Commiss^{rs} of Sewers for the Affair aforesaid, And to Act & Do therein as the Law Directs. [*Passed June 21.*]

Legislative
Records of the
Council, x.,
155.¹ *Sic.*

CHAPTER 54.

VOTE ACCEPTING THE REPORT OF THE LINE BETWEEN WELLS AND KITTERY.

Legislative
Records of the
Council, x.,
156.

House Jour-
nal, p. 21.

By ORDER of the General Court at Boston 1716, to us the Subscribers, To Make Report to the Court How the Dividing Line ought to be settled between Wells & Kittery from a Rock called the Engraven Rock at Bakers Spring; In Obedience thereunto, after Notice given to y^e Select-Men of Wells & Kittery to attend us, & bring in their Papers relating to the Rights of their Townships, On the fourth Day of February, we went on the Spot attended by the Select Men of Wells, & heard their Allegations, but Kittery Gentlemen not meeting with us. A few days after we sent for them to York, & receiv'd their Papers & what they had to say relating thereunto, And having view'd & considered the Rights of each Township, & the Course of the Town of Wells from the Sea unto the North Corner of York Township, where said Wells & Kittery Bounds meet, at said Spring & Rock, Our Opinion is, That the Dividing Line ought to be settled upon a North West & by West Point as far as Wells Township doth extend back into the Country from thence, W^h is to make it eight Miles from the Sea

Dated in York. February the 17¹⁶/₁₇.

{ ABRA^M PREBBLE
{ LEWIS BANE
{ SAM^{LL} CAME

Accepted by the House of Represent^{ves}
Read & Concur'd. [*Passed June 21.*]

CHAPTER 55.

VOTE ON THE REPORT ABOUT A MINISTER FOR THE EASTERN INDIANS.

Legislative
Records of the
Council, x.,
156.

House Jour-
nal, p. 20.

WE THE SUBSCRIBERS being Directed by his E^xcy & Council, To Provide & agree with some able ordained Minister (pursuant to the Votes of the General Assembly in November last) to Endeavour the Instruction & Conversion of the Eastern Indians, Did consult the Rev^d Ministers of this Town about some proper Person to engage in so pious a Work, After considerable Time spent in Enquiry & Waiting to see if any would offer themselves, But none appearing, We did with their Advice first apply ourselves to M^r Wiswall Pastor of the Church in Edgar Town, they & we using Arguments with him to accept the Service, but in vain, He sending us a possitive¹ Denial; Since which by all the Enquiry we have made, We cannot find any Person suitably qualified, who is so spirited as to offer himself for that important Service, Except the Rev^d M^r Joseph Baxter Pastor of y^e Church at Medfield, Who expressing his Concern that so laudable & weighty an Undertaking should labour for Want of some Person to carry it on freely offers to devote himself thereto, If it may be done by the Consent & with the Safety of his Church; We have wrote to them upon it, who express an Unwillingness to Dismiss him, Alledging therefor several Reasons, among the rest, the Difficulty & Charge of Settling another Pastor, But M^r Baxter is willing to undertake that Work, & to go for Six or twelve Months, & to provide a Substitute in him¹ room with the assistance of the neighbour Ministers, as has been heretofore on a like Occasion, Wh^h the Church has not as yet consented to; Wh

¹ Sic.

have therefore thought it expedient to make Report of our Doings thus far to this Hon^{ble} Board. Judging it might be well to have the Direction of the General Assembly for our further proceedings.

If it should seem meet for the General Court to interpose so far as to invite M^r Baxter (no [o]ther Person appearing) or to give the Church of Medfield some Assistance in providing an other Minister, that so the Town may be no Losers, by consenting to accomodate such a publick Intention, We would hope to bring the Matter to a desirable Issue All which is humbly Submitted by

THOMAS HUTCHINSON EDW^d BROMFIELD
Boston June 14 : 1717 ADAM WINTHROP JOHN CLARK
 SAM^{ll} SEWALL

The following Vote past, upon the foregoing Report of the Committee above named, by the Represent^{ves}; Read & Concur'd: viz

Voted that it be still left with his Excellency & the Council to proceed in the said Affair, Agreeable to the Votes of this Court. [*Passed June 21.*]

CHAPTER 56.

ORDER APPOINTING SURVEYORS OF BOUNDS, ON A MEM^o OF THE TRUSTEES OF M^r HOPKINS'S LEGACY.

UPON READING a Memorial of the Hon^{ble} Samuel Sewall Penn Towns- send John Leveret & Thomas Fitch Esq^{rs} a Committee appointed by the Trustees for the Improvment of M^r Hopkins's Legacy, Praying this Hon^{ble} Court to order a Skilful Surveyour & Chain Men under Oath to View the uncertain Bounds of such Tracts of Land as are claim'd by former Grants from the General Court in the Town of Hopkinton, & especially of a Grant called Whitehal Farm, And that M^r Sherman the Surveyour who laid out the said Farm may be obliged under Oath to shew the several Lines & Boundaries thereof

Ordered that the Prayer of the Petition be granted, And that Samuel Thaxter & John Chandler Esq^{rs} are appointed Surveyours to perform the Service, And that M^r Joseph Sherman be Directed to Attend them upon the Place & shew them upon Oath how & where he protracted the Tract of Land above mentioned. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
157.

House Jour-
nal, p. 21.

CHAPTER 57.

VOTE ABT THE JUSTICES OF THE COURTS AT NANTUCKET.

THE HOUSE OF REPRESENT^{ves} having Non-Concur'd the Resolve of the Council annexing the Island of Nantuckett to the County of Suffolk;

Voted as follows; Viz, Inasmuch as we apprehend the Indians will not be benefited thereby, but will comply with those that sue them to great Loss, rather than be at the heavy charge of transporting themselves to Boston in answering there;

Voted that his Excellency & the Council be Desired to Constitute & Appoint one or two proper Persons from the Main to be of the Judges of the Inferior Court of Common Pleas & General Sessions of the Peace from Time to Time on the said Island. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
157.

Legislative
Records of the
Council, x.,
142, 143, 145.
House Jour-
nal, p. 14.

CHAPTER 58.

RESOLVE CONTINUING THE LOAN TO NATH^L HENCHMAN.Legislative
Records of the
Council, x.,
157.House Jour-
nal, p. 16.

UPON READING a Petition of Nathaniel HENCHMAN of Boston Merch^t Setting forth that he receiv'd of the Ten Thousand Pounds Loan of Province Bills Anno 1711, the Sum of Fourteen Hundred Pounds, Wh^h he disburs'd to pay off the Transports that were taken up on her late Majesties Account in the Expedition to Canada the said Year, & took Bills ~~of~~ Excha^{ge} on the Lord High Treasurer of Great Britain for the same to the Sum of Nine Hundred ninety six Pounds eighteen shillings & six pence Sterl^s payable at thirty Days sight, but no part of the said Bills is yet paid; Praying the continuance of the said Loan for One Year more

Resolved that the Prayer of the Petition be granted. [*Passed June 22.*]

CHAPTER 59.

ORD^R CONTINUING THE LOAN TO AND^W & JON^A BELCHER.Legislative
Records of the
Council, x.,
158.House Jour-
nal, p. 21.

UPON READING a Petition of Andrew Belcher Esq^r & Jonathan Belcher. of Boston Merch^{ts} Praying that Fourteen Hundred Pounds, Part of the Sum lent to them in Bills of Credit out of the publick Treasury anno 1711, to assist them to furnish Stores for General Hill & Admiral Walker for the Army & Fleet under their Command bound on an Expedition to Canada may be lent them for one Year more

Ordered that the Prayer of the Petition be granted, The Case of the Petitioners being different from others concern'd in the Forty Thousand Pound Loan. [*Passed June 22.*]

CHAPTER 60.

ORDER DISCHARGING THE TREAS^R OF SEVERAL SUMS DUE FOR EXCISE.Legislative
Records of the
Council, x.,
158.House Jour-
nal, p. 21.

UPON READING an Account of Debts due to M^r Treasurer Allen from Sundry Persons for Excise Annis 1713. 1714. Which cannot be recover'd &^c Amounting to the Sum of Nine Pounds.

Ordered that the Sum above mentioned be abated,. Amounting to the Sum of Nine Pounds, And that the Treasurer be discharg'd of the said Sum. [*Passed June 22.*]

CHAPTER 61.

ORD^R FOR LAYING OUT LAND TO THE ARTILLERY COMP^A IN BOSTON.Legislative
Records of the
Council, x.,
158.House Jour-
nal, p. 22.

UPON READING a Petition of Edward Hutchinson Habijah Savage, John Ballantine jun^r Edw^d Winslow & Jon^a Pollard in Behalf of the Artillery Company in Boston, Praying that Five Hundred Acres of Land which are reserved to the Province in the Township of Rutland may be granted to the s^d Company to satisfie a Grant made to them by the General Court Oct^r 15. 1673

Ordered that Five Hundred Acres of the Thousand reserved to the Province in the Township of Rutland be granted in answer to this Petition, But so that John Burrel Esq^r to whom the other Five Hundred Acres is granted have the Choice at which End to lay out his Grant. [*Passed June 22.*]

CHAPTER 62.

RESOLVE ALLOWING £500 TO HIS EXCY.

Resolved that the Sum of Five Hundred Pounds be allowed & paid out of the publick Treasury to his EXY. Samuel Shute Esq^r Captain Gen^l & Governour in Cheif of this His Majestys Province for his Support in managing the Affairs of this Government. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
159.
House Jour-
nal, p. 20.

CHAPTER 63.

RESOLVE ALLOWING £400 TO THE JUDGES.

Resolved that the Sum of Four Hundred Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superior Court of Judicature in Proportion to the Courts they attended the Year past. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
159.
House Jour-
nal, p. 20.

CHAPTER 64.

RESOLVE ALLOWING £20 TO M^R JOHN WHITE.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in part of his Service the Year Currant. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
159.
House Jour-
nal, p. 20.

CHAPTER 65.

RESOLVE ADDING £30 TO M^R PRESID^T LEVERETTS ALLOWANCE.

Resolved that the Sum of Thirty Pounds be added to the Allowance of the Rev^d M^r John Leverett President of Harvard College for the Year Currant beginning in January last. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
159.
House Jour-
nal, p. 20.

CHAPTER 66.

RESOLVE ALLOWING £250 TO M^R TREAS^R ALLEN.

Resolved that the Sum of Two Hundred & Fifty Pounds be allowed & paid out of the Treasury to M^r Jeremiah Allen Treasurer of y^e Province for the Year past: His Trouble being still extraordinary in Changing the Bills of Credit, & taking Care for the Supply of the Garrisons &c. [*Passed June 22.*]

Legislative
Records of the
Council, x.,
159.
House Jour-
nal, p. 20.

CHAPTER 67.

RESOLVE ALLOWING £5. 8 TO M^R JOS. MARION.

Legislative
Records of the
Council, x.,
159.

House Jour-
nal, p. 22.

Resolved that the Sum of Five Pounds & eight shillings be allowed & paid out of the publick Treasury to Joseph Marion to Discharge his Accompt of Writing for this House, And that he insert proper marginal References in the Journal which he has Engrost.

[In Council,
Read and Concurred.] [*Passed June 22.*]

CHAPTER 68.

RESOLVE ALLOWING £20 TO D^R ROBT ELLIS.

Legislative
Records of the
Council, x.,
159.

House Jour-
nal, p. 22.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to D^r Robert Ellis in full of his Accompt of Medecines &c expended on Daniel Tucker. [*Passed June 22.*]

CHAPTER 69.

RESOLVE ALLOWING £25 TO JOHN FLAGG.

Legislative
Records of the
Council, x.,
159.

House Jour-
nal, p. 20.

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury to M^r John Flagg Door Keeper to his Ex^{cy} the Governour & this Court for his Service half a Year ending the twenty sixth Currant. [*Passed June 22.*]

CHAPTER 70.

VOTE APPOINTING A FAST.

Legislative
Records of the
Council, x.,
159.

Mass.
Archives, xi.,
402. Legisla-
tive Records
of the Council,
x., 153, 159.
House Jour-
nal, p. 19.
Sewall's
Diary, iii., 133.
Love's Fast
and Thanks-
giving Days of
New England,
p. 489.

A MESSAGE by Samuel Sewall Esq^r, That his Excellency with the Advice of the Council had appointed Thursday the eleventh of July next to be kept as a Fast throughout y^e Province agreeable to the Motion of that House.¹ [*Passed * June 22.*]

¹ On June 20 the House of Representatives voted "that a public Day of Prayer with Fasting may in a short Time be appointed & solemnized throughout the several Towns of of [*sic*] this Province." — Legislative Records of the Council, x., 153.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-THIRD DAY OF OCTOBER, A.D. 1717.

CHAPTER 71.

RESOLVE ALLOWING £15 TO HUGH PIKE.

UPON READING a Petition of Hugh Pike Setting forth that he formerly received a Wound in the publick Service against the French at Port-Royal, whereby he is as yet disabled from Doing any thing for his own Support & Praying Releif.

Legislative
Records of the
Council, x.,
163.

House Jour-
nal, p. 24.

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the publick Treasury to Hugh Pike the Petitioner for his Releif. [*Passed October 23.*]

CHAPTER 72.

ORDER OF HEARING ON THE REPORT OF THE COM^{TEE} ON THE PETITION OF JOHN BRADFORD &c PRAYING FOR THE LAYING OUT OF A TOWNSHIP.

UPON READING a Report of Henry Hodges W^m Bassett & Will^m Southworth appointed a Committee by this Assembly to view a Tract of Land inhabited by John Bradford Jacob Cook & thirty nine others, Inhabitants of y^e Part of Plimouth near Jones River, the North East Part of Plimpton & the South East Part of Pembroke, which the said Inhabitants have petitioned may be laid out as a Township, Representing that it is reasonable that the s^d Petition should be granted, And laying out the proper Boundaries of the s^d intended Township

Legislative
Records of the
Council, x.,
163.

House Jour-
nal, p. 24.

Ordered that John Bradford &c the Petitioners serve y^e Towns of Plimouth Plimpton Duxbury & Pembroke with a Copy of this Report, That they may be heard what they have to object against the Accepting & Confirming thereof on Wednesday the sixth of November next. [*Passed October 24.*]

CHAPTER 73.

ORDER ON THE PETITION OF INHAB^{TS} OF ALCOCKS FARM ANNEXING THEM TO MARLBORÔ.

A PETITION of Thomas How Esq^r & others Inhabitants of a Tract of Land called Alcocks Farms, Shewing that the Petitioners being annexed to no Town within this Province are rendered incapable of

Legislative
Records of the
Council, x.,
164.

House Journal, p. 25.

Doing the Duties & Receiving the Privileges of Town Inhabitants, which has on some Accounts been inconvenient both to themselves & the Town of Marlborough, to which they lie contiguous, & are conveniently scituated to attend the publick Worship there, & have been their Part of the necessary Charges for the Support thereof, And Praying that the Petitioners may be annexed to the Town of Marlborough,

Ordered in the House of Represent^{ves} That the Prayer of the Petition be granted; Read & Concur'd. [*Passed October 25.*]

CHAPTER 74.

ORDER CONFIRMING TITLE TO LAND TO MALACHI HALLOWAY.

Legislative Records of the Council, x., 166.

House Journal, pp. 24, 25.

A PETITION of Malachi Halloway Shewing that the Petitioner presented a Petition to this Hon^{ble} Court dated May 29. 1717, Praying for Releif & Help concerning One Hundred & fifty Acres of Land formerly granted to his Father William Halloway, as by said Petition doth appear, & that the Hon^{ble} Court was pleas'd to consider the Case & Grant the said Petition, as by their Order thereon June 15. 1717, doth appear, And the said One Hundred & fifty Acres is now laid out, & a Plat of the same presented to this Court, And now Praying that this Hon^{ble} Court would please to Accept of this Return & Plat of said Land, as it is surveyed & returned by Liev David Haynes & Confirm the same on the Petitioner his Heirs & Assigns for Ever:

Ordered that the Land contained & delineated in the Plat on the other Side be Allowed Granted & Confirmed, As the One Hundred & fifty Acres granted to William Halloway Anno 1662, Provided it interfere with no former Grant. [*Passed October 26.*]

CHAPTER 75.

ORDER ON THE PETITION OF THOMAS AYRES AND OTHERS, PRAYING CONFIRMATION OF TITLE TO LANDS.

Legislative Records of the Council, x., 167.

House Journal, p. 26.

A PETITION of Thomas Ayres Joseph Ayres, March Ayres, Nath^l Ayres & Edward Ayres Sons & Heirs of John Ayres heretofore of Quoboag alias Brookfield Dec^d Intestate, Shewing that in or about the Year 1660, the Petitioners Father with others bought & purchas'd of the Indian Natives a Tract of Land of about Eight Miles square then known & called by the Name of Quoboag, After which, Viz, in the Year 1673 the General Court erected the said Land into a Township by the name of Brookfield, That in the Year 1675 A War broke out with the Indians, who killed the Petitioners Father & several other Inhabitants, And the rest being drawn off by Order of the Government, the whole Town was left desolate, & all the Houses burnt down by the Enemy, After which about 1690, the said Town of Brookfield was in a likely way to be settled, And in the Year 1703, the Petitioners having obtained Administration on their said Fathers Estate lying in Brookfield aforesaid petition'd the Gen^l Court that a Committee might be appointed to make Enquiry & Cause a Record to be made of the Lots Rights & Proprieties of Land within the said Plantation belonging to the ancient Settlers thereof, that so the Petitioners might have & enjoy what belonged to them in Right of their Father, W^h Prayer of the Peti-

tioners was accordingly granted, & Sam^l Patridge Esq^r & others appointed a Committee were ordered to make Enquiry & Cause a Record to be made of the said Lotts Rights & Proprieties, But the said Committee neglecting that Service, the Petitioners renewed their Petition to the General Court, who appointed a Hearing thereon; However the Petitionere[s] withdrew their Petition at the Request of the said Committee, & upon their Promise that they would forthwith proceed to settle the Petitioners in their Rights, Which accordingly they did to the Satisfaction of the Petitioners, who were at the Expence of One Hundred & fifty Pounds at least in obtaining the Settlement, But after all the Committee did in March last declare all their Proceedings in the Premises to be null & void under no other Pretence, but that the said Lands were not improved by the Petitioners, And the very Lotts that the Petitioners Father died possess'd of, & particularly his Home Lott which he defended against the Indians to the Loss of his Life are granted by the said Committee to other Personse very unjustly & contrary to the Order of the Gen^l Assembly, By all which the Petitioners are kept out of the Possession of their Fathers Estate Upon the whole the Petitioners pray the Hon^{bl} Court will confirm to them the Lands which the said Committee have laid out to them containing by Estimation no more than Fifteen or Sixteen Hundred Acres, Altho they have heard their Father & many others say that he had Two Thousand Acres of Land in Brookfield, With which Land so laid out by the said Committee they shall rest satisfied & contented, Unless the Court shall please to make them some further consideration:

Ordered that the Committee of Brookfield be served with a Copy of this & the Petitioners former Petition, And that they appear before this Court on the second Thursday of the next May Sessions, to shew reason why they declared the Petitioners Land to be forfeited. [*Passed October 28.*]

CHAPTER 76.

RESOLVE ALLOWING £173 ON HOSPITAL ACCOUNT.

AN ACCOMPT of the Charges on the Hospital built on Spectacle Island amounting to One Hundred & seventy three Pounds, Was given into the House of Represent^{ves} by Coll Thaxter & M^r William Payne

Read &

Resolved that so much be further allowed & paid out of the publick Treasury, as with what has been already paid on this Accompt shall make up the Sum of One Hundred & seventy three Pounds to discharge this Accompt.

And the Committee are desired to proceed in making a Fence & Well at the best Rate they can. [*Passed October 29.*]

Legislative
Records of the
Council, x.,
169.

House Jour-
nal, p. 28.

CHAPTER 77.

A DAY OF THANKSGIVING APPOINTED.

In the House of Representatives

Ordered. That a Message be sent up to the Board by Col^o Hutchinson M^r W^m Denison and M^r Porter Desiring that a day of Publick Thanksgiving to Almighty God may be Appointed and Celebrated

Legislative
Records of the
Council, x.,
171. Mass.
Archives, xi.,
402.

Legislative
Records of the
Council, x.,
168. Executive
Records of the
Council, vi.,
518. House
Journal, p. 27.
Sewall's
Diary, iii., 150.
Love's Fast
and Thanks-
giving Days of
New England,
p. 489.

throughout this province upon the Various grounds and Occasions for it.

[In Council.]

John Otis Esq^r went down on a Message to the House, To Acquaint them that a Committee was appointed to prepare & lay before the Board a Proclamation for a publick Thanksgiving to be kept throughout this Province on Thursday the 28th of November Curr^t.¹ [*Passed * November 1.*]

CHAPTER 78.

ORDER OF HEARING ON WEST SWANZEY PETITION, PRAYING TO BE MADE A TOWN.

Legislative
Records of the
Council, x.,
171.

House Jour-
nal, p. 30.

A PETITION of Samuel Humphreys Josiah Torrey & Zechariah Bicknal Agents for the Society of the West Part of Swanzy, Shewing that the said Society are in great Difficulties with respect to their publick Affairs, especially as to the Supporting of the publick Worship of God amongst them, That they have long ago built a Meeting House for that Service, & for the most Part maintained an orthodox Minister among them, Yet by Reason of the Difference of Opinion between them & the most Part of the great Town of Swanzy, & their not being sett off from the said Town as a distinct Township & Precinct, they are not able to settle a Minister among them; They therefore Pray this Hon^{ble} Court that their Case may be taken into Consideration, & that they may be sett off as a Township, Containing the Lands of Pheebe Neck, New Meadow Neck & Brooks Pasture, And for as much as many Petitions have been put up by the Petitioners to this Hon^{ble} Court praying the same favour, & that in the Year 1711 or 1712, A Committee was appointed (whereof the Hon^{ble} Nath^l Byfield Esq^r was one,) who return'd their Opinion that they ought to have near twice the Land they now Pray for, the Petitioners doubt not but y^e Court will think y^r Prayer reasonable

Ordered that the Petitioners serve the Town of Swanzey with a Copy of this Petition, That they may be heard before this Court. If they have any thing to alledge why the Prayer thereof may not be granted on Fry-day next. [*Passed November 1.*]

CHAPTER 79.

ORD^R RELATING TO LANDS PETITIONED FOR BY MARLBORO MEN.

Legislative
Records of the
Council, x.,
172.

Legislative
Records of the
Council, x.,
453. House
Journal, p. 29.

THE REPORT of Samuel Thaxter John Chanler & Jonathan Remington Esq^{rs} upon the Petition of John Bridgham & thirty others, Was Read & the following Vote pass'd & Entered on a Plat of the Land exhibited & prayed for by the Petitioners, Viz

Ordered that the Tract of Land protracted & described in the Plat on the other Side together with the Farms heretofore granted to particular Persons contained in the said Plat be made a Township, Excepting so much thereof as the Report of Samuel Thaxter John Chandler & Jonathan Remington Esq^{rs} Dated June 19. 1717, hereto annexed, doth propose to be taken off & added to the Westerly Part of Marlborough, And that Jonathan Remington John Chandler & Francis

¹ No formal vote of the Council appears in the records, but November 28 was observed as a day of thanksgiving.—Sewall's Diary, iii., 150.

Fulham Esq^r be a Committee fully impowered to grant & lay out the whole of the said Lands (Except such as has been heretofore granted) to such Persons as they in their Wisdom shall think most likely to advance the Settlement of the Place, They Paying the said Committee (for the Use of this Province) not exceeding twelve pence per Acre for said Lands & the Charge of the Committee for laying out the same, Which is to be done in as convenient & defensible a manner as the Circumstances of the Place will admit of ; Provided they have there at least Forty Families settled there with an orthodox Minister within the Space of Three Years, And that a Lott & other Accommodations as large & convenient as may be the Place will admit of in the Judgment of said Committee be laid out to the first settled Minister, Also a Lott for the Ministry & an other for the Use of the School. [*Passed November 2.*]

CHAPTER 80.

RESOLVE ALLOWING £10 TO SAMUEL CLARK.

A PETITION of Samuel Clark, Shewing that the Petitioner had many Years ago received several Wounds in the publick Service against the Enemy, Which are not yet cured, but do still wholly disable him from Doing any Thing for the Support of himself & Family, And therefore Praying Releif from the Hon^{ble} Court

Legislative
Records of the
Council, x.,
173.

House Jour-
nal, p. 29.

Read &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Samuel Clark the Petitioner for this Year, over & above his stated annual Pension. [*Passed November 2.*]

CHAPTER 81.

RESOLVE ALLOWING £20 TO ELEAZER ROGERS.

A PETITION of Eleazer Rogers Shewing that the Petitioner having been wounded in the Service against the Enemy, of which Wounds he is not yet cured but is still rendered unable to give himself & Family the necessary Support, Therefore Prays this Hon^{ble} Court that they would continue their former Allowance to him for his Releif.

Legislative
Records of the
Council, x.,
173.

House Jour-
nal, p. 29.

Read &

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Eleazer Rogers the Petitioner for his Releif. [*Passed November 2.*]

CHAPTER 82.

ORDER FOR LAYING OUT A PLAT OF LAND IN THE WESTERN PART OF MARLBORÔ FOR A SEPARATE TOWN.

A PETITION of many of the Inhabitants & Proprietors of the Town of Marlborough, Shewing that a considerable Number of the Inhabitants of the said Town hav settled themselves in the Westerly Part of the said Town where they are at a considerable distance from the Place of publick Worship, & ill accommodated to attend it in the said

Legislative
Records of the
Council, x.,
173.

House Jour-
nal, p. 29.

Place, And therefore Praying that the said Westerly Part may be sett off as a Precinct or Township, And certain Lands lying near them taken into the said Precinct or Township

Read &

Ordered that the Petitioners prepare a Plat taken by an able Surveyour of the Land which they desire, & the Town of Marlborough agree should be sett off & made a separate Township including therein the Land which the Report of Samuel Thaxter Esq^r &^c Dated June 19, proposes should be laid to them, And present it to this Court for Allowance. [*Passed November 2.*]

CHAPTER 83.

ORDER ON THE PETITION OF JOSEPH BRIANT AND OTHERS IN REGARD TO ENTAILED LANDS.

Legislative
Records of the
Council, x.,
172.

House Jour-
nal, p. 31.

A PETITION of Joseph Briant & Thomas Briant of Scituate in the County of Plimouth Sons of John Briant Sen^r & the Children of Joseph Briant Sen^r Shewing that John Briant Sen^r Father & Grand Father of the Petitioners had bequeath'd by his last Will & Testament to his two Sons aforesaid & their Heirs for Ever certain Lands lying & being in Scituate aforesaid to be equally divided between his said Sons by a mutual Agreement by which a sort of Injunction or Fee Tail is laid on the said Lands That a Division has accordingly been made of the said Land, & the parts of the two Sons has been assigned them to their Satisfaction, That Joseph Briant having brought up all his Children who are now of full Age, And being himself agad¹ & weekly stands in need of Support, that both he and his Children find that the Lands & Premises given in the said Will under the Form of the said Gift are not of Advantage or Profit to them or him as they might be if they rested wholly with Thomas Briant his Brother; Wherefore the Petitioners Pray that the Injunction or Entail laid on the said Joseph Briant Senior's Part of the said Land may be taken off & that his Sale or Conveyance of his said Part to his Brother Thomas Bryant may remain to the s^d Thomas Briant & his Heirs & Assigns for Ever as fully as if no such Entail had been made.

Read &

Ordered that the Prayer of the Petition be granted; And that the Petitioners have leave to bring in a Bill accordingly. [*Passed November 5.*]

CHAPTER 84.

ORDER OF HEARING ON SALISBURY PETITION IN REGARD TO A MEETING HOUSE.

Legislative
Records of the
Council, x.,
175.

Legislative
Records of the
Council, x.,
171. House
Journal, p. 31.
Ante, p. 528,
chap. 15.

IN THE HOUSE OF REPRESENT^{IVES} The Resolve & Order of the Board upon a full Hearing of the Petition of the Inhabitants of the Old Town of Salisbury (as Enter'd Nov. 1, 1717) Read & Concur'd, the last Paragraph excepted In as much as M^r Cushings Salary is already Settled by Agreement & Votes of the Town, And we would suppose the Town is not so unjust as to diminish it.

Read & Concur'd. [*Passed November 5.*]

CHAPTER 85.

ORDER APPOINTING A COMMITTEE ON THE BOUNDS OF WELLS, KIT-
TERY AND BERWICK.

A PETITION of Nicholas Coat, Daniel Littlefield & Joseph Littlefield, Select Men of the Town of Wells Praying this Court to appoint a Committee or Surveyour under Oath to run the Line & Settle the Bounds between the said Town & the Towns of Kittery & Berwick, Pursuant to the Report of the Committee confirm'd by this Court June 21. 1717, Which the said Town refuses to join with them in Doing

Read &

Ordered that Abraham Prebble & Lewis Bane Esq^{rs} & M^r Peter Newell be a Committee to take care that the divisional Line between the Town of Wells & the Towns of Kittery & Berwick be run & settled pursuant to the Vote of this Court relating thereto by a Surveyour & Chain Men under Oath, Notifying the said Towns when they proceed in the Affair & make Report to this Court. [*Passed November 5.*]

Legislative
Records of the
Council, x.,
175.

House Jour-
nal, p. 32.

CHAPTER 86.

RESOLVE ALLOWING £5. 10 TO THOMAS TURNER.

A PETITION of Jonathan & Mary Briant of Pembroke in y^e County of Plimouth, Shewing that a certain Indian called Thomas Seal being a listed Soldier in the Expedition against Port Royal was taken sick & left by the Commanding Officer with D^r Thomas Little (to whom the Petitioner was Administratrix) & was by him cured of an Imposthume in his Arm, The Accompt of whose Cure amounting to Five Pounds ten shillings, the Petitioners Pray may be allow'd & paid out of the publick Treasury

Read &

Resolved that the Sum of Five Pounds ten shillings be allowed & paid out of y^e publick Treasury to M^r Thomas Turner to discharge the within mentioned Accompt. [*Passed November 5.*]

Legislative
Records of the
Council, x.,
175.

House Jour-
nal, p. 31.

CHAPTER 87.

ORDER IN REGARD TO A PRECINCT IN THE NORTHWEST PART OF
LYNN.

A PETITION of several of the Inhabitants of the North West Part of Lyn, being fourteen in Number Shewing that the Hon^{ble} Court upon Reading the Petition of the Farmers dwelling on the North Side of the publick Road from Redding to Salem being thirty two in Number Praying that they might be sett off a separate & distinct Precinct for the Setting up the publick Worship of God, Did in their Sessions in October 1713, Order that the Prayer of the Petition be granted, & that there be a Precinct established accordingly with all the Powers & Privileges by Law granted to such, The Petitioners nevertheless to continue to pay to the Support of the Ministry in the other Part of the Town untill they have built a Meeting House & obtained a learned orthodox Minis-

Legislative
Records of the
Council, x.,
176.

House Jour-
nal, p. 32.

ter to preach constantly among them, And whereas the said Petitioners have built a Meeting House but the Major Part of the said first Petitioners have refused to enter into any Agreement with those & to be under any obligation to maintain a Minister there, So that the Petitioners are necessitated to provide Ministers in the said Meeting House hither unto at their own Cost & Charge, without any other help, than what the rest of the Precinct have thought fit to contribute, which has been very little, And yet the Petitioners are rated to pay towards the Support of the Ministry in the other Part of the Town. Which the Petitioners conceive is contrary to the Order of this Court before mentioned, And for as much as the Major Part of the Inhabitants of the said Precinct refuse to take such Methods for the Settlement thereof & of a Minister in the said Meeting House as the Hon^{ble} Court has ordered & prescribed them, The Petitioners pray that this Court will take the Premises into their Consideration, & if it be thought proper Appoint three or more suitable & indifferent Persons from Time to Time to Methodize & Call Precinct Meetings & to do such other Matters & Things as shall be necessary to be done untill a Minister be settled in said Meeting House, Or that the Court would take any other Method as may be proper for the Releif of the Petitioners

Read &

Ordered that upon Application made to a Justice of the Peace in the said County by five or more of the Inhabitants of said Part of Lyn for a Precinct Meeting, such Justice is hereby impowered to grant a Warrant for such Meeting, Expressing the Time Place & Occasion thereof, Directed to one of the Constables of the said Town of Lyn Requiring him to notify such Inhabitants of s^d Meeting according to the Direction of said Warrant fourteen days before said Meeting, And that at such Meeting the Inhabitants of said Precinct be impower'd to appoint any other way or method of Calling Meetings for the future. [*Passed November 5.*]

CHAPTER 88.

ORDER OF HEARING ON YORK & WELLS PETITIONS AB^t THE SHIRE TOWN IN YORK COUNTY.

Legislative
Records of the
Council, x.,
177.

House Jour-
nal, p. 32.

A PETITION of Lewis Bane Represent^v of the Town of York & William Sawyer Representative of the Town of Wells Shewing that the Town of York was at first by Law appointed to be the Shire Town of the County of York & still continues to be so, And that the Superior Court of Judicature for the said County was from the Beginning held there, Untill the War rendered it hazardous for the Judges & others to travel. Wherefore for the Security of the said Court, the General Assembly were pleas'd to remove it to Kittery where it is now held, But for as much as it is now a Time of Peace & Traveling is become secure & safe, The Petitioners Pray that the Town of York may be restor'd to the Right & Privilege as a Shire Town, And that this Hon^{ble} Court would be pleas'd to order, That the Superior Court of Judicature &^c and Inferior Court of Common Pleas be held at York as formerly; A Petition of the Select Men of York to y^e same Effect annex'd

Read &

Ordered that the Town of Kittery be served with a Copy of this Petition & the Petition of the Select Men of York annex'd, And that they be heard thereupon before this Court on the second Wednesday of their Sessions in May next, If they have any thing to object Why the Prayer thereof should not be granted. [*Passed November 6.*]

CHAPTER 89.

ORDER ON THE PETITION OF SEVERAL INHABITANTS OF PLIM^O PLIMPTON &c.

UPON A FULL HEARING had Yesterday before the whole Court upon the Petition of sev^{ll} of the Inhabitants of Plimouth Plimpton¹ & Pembrook

Legislative
Records of the
Council, x.,
178.

Ordered that the Petitioners be sett off a Precint according to the Bounds mentioned in the Committees Report, & upon the providing & Maintaining an orthodox Minister a publick Reading & Writing School within their Precinct, That they be freed from any Charge to the Ministry & School in their respective Schools Towns.² [*Passed November 8.*]

House Jour-
nal, pp. 33, 34.

CHAPTER 90.

ORDER GRANTING THE PETITION OF WILLIAM REED IN REGARD TO AN APPEAL TO THE SUPERIOR COURT.

A PETITION of William Reed Shewing that he apprehends himself greatly injured by a Sentence of the Court of General Sessions of the Peace for the County of Middlesex, in a Cause between the Select Men of the Town of Lexington & Thomas Kendal on the one Part, & the said William Reed on the other Part, From which Sentence he appeal'd to the Superior Court of Judicature, Which was holden at Cambridge in July last, but by Mistake filed his Reasons of Appeal in the Clerks office of the Court of Sessions instead of the Clerks Office of the Superior Court, appeal'd to, Whereby he is precluded the Benefit of his Appeal, And therefore Praying this Hon^{ble} Court to enable him to bring forward the said Cause by Appeal before the said Superior Court at their next Sessions in the said County.

Legislative
Records of the
Council, x.,
179.

House Jour-
nal, pp. 33, 34.

Read &

Ordered that the Prayer of the Petition be granted, And that the Petitioner or his Council, prepare a Bill accordingly. [*Passed November 8.*]

CHAPTER 91.

ORDER ALLOWING £32. 14. 2 TO THE COMMISS^{RS} FOR RUNNING THE LINE WTH CONNECTICUT.

THE COMMISSIONERS ACCOMPT for Service & Expences in Running the Line betwixt the Government of Connecticut & this Government, The Ballance Amounting to Thirty two Pounds fourteen shillings & two Pence

Legislative
Records of the
Council, x.,
179.

Read &

Ordered That the Ballance of this Accompt being Thirty two Pounds fourteen shillings & two Pence be paid to the abovesaid Commissioners out of the publick Tréasury. [*Passed November 8.*]

House Jour-
nal, p. 33.

¹ The House Journal here inserts "Duxbury."

² *Sic.*

CHAPTER 92.

VOTE ACCEPTING THE REPORT OF THE COMMISS^{RS} FOR RUNNING THE LINE WITH CONNECTICUT.

Legislative
Records of the
Council, x.,
179.

House Jour-
nal, p. 33.

THE FOLLOWING REPORT was given in by the Commissioners appointed by this Court June 20. 1717 & by the Hon^{ble} the Governour & Council of the Colony of Connecticutt Sep. 7. 1717 to run & continue the Divisional Line between this Government & the Colony of Connecticutt; viz.

By Vertue of an Act¹ of the General Assembly of the Province of the Massachusetts Bay of the 19 & 20th of June last past, as also an Order of the Hon^{ble} the Governour & Council of the Colony of Connecticut of the 7th of this Instant September fully impowering us the Subscribers on the Part of the respective Govern^{ts} to run & continue the divisional Line between the said Govern^{ts} by sufficient durable Marks & Monuments untill we shall pass five Miles to the Westward of Houssatannuck River; We Samuel Porter Samuel Thaxter & John Chandler Commissioneres on the Part of the Massachusetts; Matthew Allen William Whiting & Nathaniel Burnham Commissioners on the Part of the Colony of Connecticutt having upon Thursday the twelfth of this Instant September met upon the said divisional Line in the West Bounds of the Township of Westfield, We proceeded with the said Line & ran Five Hundred & fifty Three Perch which brought us to a Monument on a Mountain to y^e West of Westfield Bounds made by the former Commissioners, Which prov'd our Instruments & gave us a Prospect of the Mountains on the East Side of Connecticut River, over which the Line passes, & which were well known to some of us & confirm'd our Course (the worshipful William Pitkin Esq^r accompanying us so far) We proceeded & made a Monument at a White-Oak, being Three Hundred & sixty Perches forward of Ditto; at One Hundred & Twenty Perch Ditto, One Hundred & Sixty more, Two Hundred & Forty Perch, & encamp'd The 13th Day We continued the Line to the East Branch of Farmington River, called Cheschawcamuch one Mile & Three Quarters & Erected a great Heap of Stones on the West Bank of the said River at the Root of a White-Elm mark'd, At Three Quarters of a Mile farther We cross'd an other Branch by a small Fall, & rais'd a Heap of Stones by a large Hemlock mark'd; We continued the Line from thence two Miles & an half & twenty Perch (which brought us to a miry Swamp eighty Perch wide) & Encamped; At this Place we mark'd a large Hemlock & called it Thaxter Tree; The 14th Day we ran One Mile to a large streight White Ash fourteen Feet & four Inches Circumference, & at least Fifty Feet high before it crook'd, standing near a small Brook running West, Mark'd it & called it Chandler Tree, And at One Mile & thirty rod further pass'd a third River, made a Heap of Stones on the West Bank between two Hemlocks, At ninety Perch we pass'd an other Branch, & at two Hundred Perch came to the Main Branch of Farmington River, Where on the West Bank We Erected a large Heap of Stones, The Distance from this Place & Westfield being thirteen Miles & an half, From thence we proceeded over a high Mountain, & at two Miles & a Quarter Encamp'd, & Erected a large Heap of Stones, North East from whence at Eighty Perch Distance is a Pond called Charles Pond: We mark'd a large Maple five Perch West of the Heap of Stones, From thence Two Miles & twenty Perch to a River called Allen River, mark'd a Maple,

¹ *Quære*, Vote, rather than an Act? See *ante*, p. 535, which appears to be the legislation meant.

made a Heap of Stones on the West Bank; (Between the two last Monuments We cross'd six small Brooks) Thence two Miles & a Quarter, where we made a Heap of Stones, Thence two Miles & a Quarter & fifty six Perch to a River near a Fall in an other that unites with it, About Twenty Perch Northward mark'd a Beach Tree & made a Heap of Flat Stones on a great Rock; We then cross'd a Hill One Mile & twenty eight Perch & came to Porter River, mark'd a Bass Wood Tree & made a Heap of Stones, Thence One Mile & an Half & four Perch to a three Fang'd White Pine mark'd B, On the West Bank of Burnham River encamp'd, On the 17th at the Distance of One Mile & an Hundred & twenty eight Perch, We cross'd the said River, & mark'd a small White Oak, there being no Stones near, two Perch from the River (which in that Part & forward on we called Whiting River) Thence to Houssatanuck River, One Mile a Quarter & fifty six Perch, the Line crosses about about¹ fifty Perch below Whiting River at the Mouth at a Place call'd Trout Point, The Water being at least twenty feet deep, There is a Chesnut Tree mark'd on the East side at six or eight Perch distance, & a Stake sett up at y^e Edge of the River; The Distance from Westfield Bounds being twenty eight Miles & fifty two Perch; On the West Bank We sett up a Stake & Heap of Stones, & Proceeded Five Miles, Which ends in a Mountain called Mount Eschol, And in a Stony Gutter by Estimation two Hundred Feet deep, through which runs a stream of Water, which is cross'd by the Line & fall from the Mountain several Hundred Feet, And the Course of the Stream may be seen at several Miles distance: We have also mark'd many Trees in the Line between Station & Station, The last of which is a Maple at the Foot of Mount Eschol, on the North Side the Stream at six feet from which is a large Rock near the Edge of the Water; The Line terminates in the Top of the Mountain in the Gutter at a Right Angle from the North Mountain, & uncapable to hape¹ a Monument made at it

	SAM ^{LL} PORTER	MATTHEW ALLEN
Westfield Sept 20. 1717	SAM ^{LL} THAXTER	W ^M WHITING
	JOHN CHANDLER	NATH ^{LL} BURNHAM

The aforementioned Report Read & Accepted. [*Passed November 8.*]

CHAPTER 93.

ORDER CONFIRMING A PLAT OF 600 ACRES OF LAND TO ELIZ^B HOBART OF HADDAM.

A PLAT of Six Hundred Acres of Land laid out by John Chandler jun^r Surveyour & Chain Men under Oath, Pursuant to a Vote of this Court past June 19th last, Presented for Confirmation

Legislative
Records of the
Council, x.,
181.

Read &

Ordered that the Land described & delineated in the said Plat be confirm'd to Elizabeth Hobart of Hadham in Satisfaction of a Grant to M^r Samuel Whiting Sen^r of Lyn Anno 1679, Provided it entrench upon no former Grant & contain no more than the Quantity granted. [*Passed November 9.*]

House Jour-
nal, p. 33.

¹ Sic.

CHAPTER 94.

ORDER APPOINTING A COMMITTEE ON ISAAC LITTLES PETⁿ IN REGARD TO MAKING AND REFINING IRON.

Legislative
Records of the
Council, x.,
182.

House Jour-
nal, p. 34.

A PETITION of Isaac Little in Behalf of himself & Company, Praying this Hon^{ble} Court to grant them Assistance & Encouragement (as specified in the Petition) towards the making & refining of Iron, Setting up Slitting-Mills &c

Read &

Ordered that Cpt Wadsworth & Coll^o Thaxter with such as the Hon^{ble} Board shall appoint be a Committee to consider of & lay before this Court what may be proper to be done upon this Petition. [*Passed November 9.*]

CHAPTER 95.

ORDER ALLOWING TEN MEN FOR A GARRISON AT NORTHFIELD.

Legislative
Records of the
Council, x.,
182.

Mass.
Archives, li.,
293. House
Journal, p. 34.

A PETITION of Samuel Patridge & others being a Committee for Northfield, Shewing that the well Settling of the said Place would much conduce to the Security of many Towns within it, And that a small Garrison in the said Town of Northfield would give great Encouragement to the Settle[r]s in the said Town & secure them against the Insults of the Indians, who often resort there, And therefore Praying that a small Number of Men be allowed them

Read &

Ordered that the Prayer of the Petition be so far granted, that Ten Men be allowed for the Encouragement & Defence of Northfield for one Year, Provided they be not of the present Inhabitants. [*Passed November 9.*]

CHAPTER 96.

ORDER OF HEARING ON NATH^l THOMAS'S PETITION PRAYING RELIEF IN REGARD TO A WAY LAID OUT OVER HIS LAND.

Legislative
Records of the
Council, x.,
182.

House Jour-
nal, p. 34.

A PETITION of Nathaniel Thomas of Marshfield, Shewing that Cpt Seth Arnold & Thomas Fish of Duxbury having erected a Frame of a Saw Mill at the old Dam on the Westward Side of Green Harbour Brook in Duxbury He the said Thomas Fish by his unjust Clamours did on the twenty eighth of January 1716, procure two of the Select Men of Duxbury to lay him out a particular Way for his the said Fishes proper Use along & upon the Dam & Land of the Petitioner to his great wrong & Damage, And that the Petitioner has made his Remonstrance & Complaint to the Justices of the County of Plimouth at their Court but without Remedy, Wherefore the Petitioner applies himself to this Hon^{ble} Court Praying Releif in the Premisses

Read &

Ordered that the Petitioner serve Mess^{rs} John Patridge & John Wadsworth Select Men of the Town of Duxbury with Thomas Fish of the said Town with a Copy of this Petition, That they may be heard before this Court on Fryday next, If they have ought to object why the Petitioner may not have Releif under his present Circumstances.

In the House of Represent^{ves}, Read & Concur'd; Provided the Petitioner bear the Charges of the Select Men occasioned by such Hearing, If this Court think it proper :

[In Council]

Read & concur'd. [*Passed November 9.*¹

CHAPTER 97.

ORDER APPOINTING A COM^{TEE} OF BOTH HOUSES TO CONFER ABOUT DEERFIELD PLAT.

Ordered that Cpt Wadsworth, Coll Thaxter M^r Porter M^r Parsons & Major Chandler be a Committee to confer with such as the Hon^{ble} Board shall appoint concerning the Plat ordered by this House to be the Township of Deerfield, Which Order was Non-Concur'd by the Hon^{ble} Board :

Legislative
Records of the
Council, x.,
182.

House Jour-
nal, pp. 26, 34.

Read & Concur'd; And the Hon^{ble} Nathaniel Byfield John Otis & Thomas Noyes are added to the Committee for the Affair aforesaid. [*Passed November 9.*

CHAPTER 98.

ORDER APPOINTING A COMMITTEE TO VIEW THE WORKS AT CASTLE WILLIAM.

Ordered that Cpt Wadsworth Cpt Dowse & M^r Joseph Parsons be a Committee with such as shall be appointed by the Hon^{ble} Board to repair to Castle William & view the Works there & Make Report to this Court, where Repairs are necessary

Legislative
Records of the
Council, x.,
184.

House Jour-
nal, p. 35.

Read & Concur'd, And the Hon^{ble} William Tailer & Thomas Fitch Esq^s are added to the Committee. [*Passed November 12.*

CHAPTER 99.

ORDER FOR LAYING OUT LAND TO DORCHESTER FOR A FREE SCHOOL.

A PETITION of the Select Men of the Town of Dorchester, Shewing that the General Assembly at their Session in August 1716, upon Reading a Petition of the said Town Praying that a Surveyour may be appointed to lay out a Thousand Acres of Land granted by the General

Legislative
Records of the
Council, x.,
184.

House Jour-
nal, p. 34.

¹ Accordingly, on Friday, November 15, "A Hearing was this Day had upon the Petition of Nathaniel Thomas (as entered November the 9th) before the Court, And it was Resolved that the Select Men of Duxbury have acted in this Affair according to the true Intent of the Law." — Legislative Records of the Council, x., 189.

On November 16, a vote of reconsideration was passed (*ibid.*, 190); on November 19, after a recital of the hearing on Friday, November 15, *supra*, and, as it seems, in virtue of the vote of November 16, to reconsider, the Council

"*Ordered* that Cpt Jacob Thomson Cpt Benjamin Warren & Cpt John Dyer be a Committee to repair to Duxbury, Notifying the several Parties to be present, And view the High-Way laid out by the said Select Men to Thomas Fish, & enquire into the Circumstances, & Make Report unto this Court at the Sessions in May next, what they think proper & just to be done relating thereto. The Charges of the Committee to be as y^e Court shall determine." — Legislative Records of the Council, x., 197.

This order was sent down for concurrence, but nothing further appears in the Secretary's records. The record of Friday, November 15, *supra*, appears therefore to stand simply reconsidered.

Court to the said Town Anno 1659, for the Use of a Free-School there, *Ordered* that the Prayer of the Petition be granted, Provided the said Grant had not been before laid out, And whereas the Petitioners are sensible that the s^d Grant never was taken up & laid out, And have therefore been at the Charge of Laying out a Thousand Acres of Land lying Northerly of Lancaster New-Grant, surveyed by M^r William Ward & two Chain Men under Oath, as will more particularly appear by a Plat thereof, herewith presented; The Petitioners Pray that the One Thousand Acres as presented & laid out in the Plan Annex'd may be confirmed to the Town of Dorchester for the Use of a Free-School, Pursuant to the before recited Grant

Read &

Ordered that One Thousand Acres of Land protracted & described in this Plat be allowed & confirmed to the Town of Dorchester for the Use of a Free School in the said Town Pursuant to & in Fulfilment of a Grant of the General Court Anno 1659, of the said Quantity to the said Town for that Use, Provided it entrench upon no former Grant. [*Passed November 12.*]

CHAPTER 100.

ORDER ON THE PETITION OF THE EAST END OF TAUNTON NORTH PURCHASE TO BE MADE A PRECINCT.

Legislative
Records of the
Council, x.,
184.

A PETITION of the Easterly End of Taunton North Purchase, As Entered Oct 30

Read &

Legislative
Records of the
Council, x.,
169. House
Journal, p. 35.

Ordered that the said East End of Norton be made as a Precinct & have the Powers & Privileges granted by Law to Precincts, And that John Field Ephraim Howard & John White Surveyour be a Committee to run & settle a divisional Line by which it is to be sett off from the other Part of Norton pursuant to an Order of this Court March 17. 1710, And make Report to this Court. [*Passed November 12.*]

CHAPTER 101.

ORDER APPOINTING A COM^{TEE} FOR RUNNING THE LINE BETWEEN WELLS & KITTERY & BERWICK.

Legislative
Records of the
Council, x.,
185.

House Jour-
nal, p. 34.

Ordered that Coll. Somersby, Jonathan Wade & Henry Clark be a Committee to take care that the divisional Line between the Town of Wells & the Towns of Kittery & Berwick be run & settled, Pursuant to the Vote of the Court relating thereto by a Surveyour & Chain Men under Oath, Notifying the said Towns when they proceed in this Affair, And make their Report to this Court, The said Committee to be in the room of Abraham Prebble & Lewis Bane Esq^{rs} & M^r Peter Newell, who were appointed by this House for this Purpose Nov. 5 Curr^t, And that the Town of Berwick pay the Charge of the Committee.

Read & Concur'd. [*Passed November 13.*]

CHAPTER 102.

ORDER IMPOWERING JOHN WHEELWRIGHT TO REGULATE THE SETTLEMENT OF CAPE PORPOISE &c.

A PETITION of the Inhabitants & Proprietors of the Town of Cape-Porpoise, Shewing that several of the ancient Inhabitants & Descendants of others being desirous to settle the said Town in a regular & defensible Manner, agreeable to the Order of this Hon^{ble} Court, And whereas several are already sett down in small Hutts in a scattering manner, W^h tends wholly to defeat that wholsom Order, & to render the Place uncapable of Defence. The Petitioners therefore Pray, That the Hon^{ble} John Wheelwright Esq^r may be appointed & empower'd to regulate the present Settlements as to the placing the Houses, And that he be enabled to demand & take into his keeping the Town Records wheresoever they may be found (that Persons may come to know their own Rights) untill the Town be in Order to chuse their own Officers

Read &

Ordered that the Hon^{ble} John Wheelwright Esq^r be empowered to regulate the present Settlement of Cape-Porpoise as to the Placing the Houses, so as the Inhabitants may be able to defend themselves in case of a War, And that he be further empowered to Demand & Keep the Town Record belonging to the s^d Place, till said Town be otherwise regulated. [*Passed November 13.*]

Legislative
Records of the
Council, x.,
185.

House Jour-
nal, p. 35.

CHAPTER 103.

ORDER APPOINTING HUMPHRY SCAMMON TO KEEP THE FERRY OVER SACO RIVER.

A PETITION of Lewis Bane Representative of the Town of York, in Behalf of himself & the Inhabitants of Casco Bay & Black Point, Shewing that whereas about Four Years ago Liberty was given to one Benjamin Halley for Keeping a Ferry over Saco River at the Mouth of the said River during the Courts Pleasure, W^h Place was inconvenient by Reason of its nearness to the Sea & the roughness of the River thereby occasioned, that the said Halley did not well attend that Service, by which his Neglect Travelers have been often expos'd to Difficulties & Hazards, That there is a much more fit & commodious Place for a Ferry higher up the River where one Humphry Scammon now dwells, whose Father for many Years kept the Ferry till in the late War he was driven away by the Indians, Wherefore the Petitioner prays that the said Scammon may be appointed by this Court to keep the Ferry in the said Place

Read &

Ordered that y^r Prayer of the Petition be granted. [*Passed November 13.*]

Legislative
Records of the
Council, x.,
186.

House Jour-
nal, p. 36.

CHAPTER 104.

RESOLVE FOR LAYING OUT LANDS TO BROOKFIELD.

A PETITION of Samuel Patridge &c a Committee for Brookfield Shewing that a Grant has been made by the General Assembly of One Thousand Acres of Land to Collonel John Pynchon Dec^d Five Hundred Acres

Legislative
Records of the
Council, x.,
186.

Mass.
Archives, xlv.,
82. House
Journal, p. 36.

of which Land was taken up by him in his Life time within the Bounds of the Township of Hadley, And the other Five Hundred was taken up on Coys Hill, Which the Petitioners find to be within the Township of Brookfield, And to remedy the wrong which the Confirmation & Settlement of the said Land to the Son of the said John Pynchon Dec^d would be to the Town of Brookfield, They propose to this Court that an Equivalent of Five Hundred Acres of Land be granted to the said Town of Brookfield in some other Place of the Lands belonging to the publick

Read &

Resolved that Five Hundred Acres of unappropriated Land be granted to the Town of Brookfield in full Satisfaction for the Five Hundred Acres of Land laid out to Coll Pynchon on Coys Hill in the said Town of Brookfield, confirm'd by this Court June 18. 1715, as the first half of the Grant made to his Father John Pynchon Esq^r Dec^d Anno 1659, To be laid out adjoining to s^d Brookfield by a Surveyour & Chain Men under Oath & return'd to this Court for Confirmation. [*Passed November 13.*]

CHAPTER 105.

ORDER FOR LAYING OUT LAND TO EDWARD JOHNSON.

Legislative
Records of the
Council, x.,
187.

House Jour-
nal, p. 37.

A PETITION of Edward Johnson of Woburn Grand Son of Cpt Edward Johnson of said Town Dec^d in Behalf of himself & the other Heirs of the said Johnson, Shewing that the General Court of the late Colony of the Massachusetts Bay did at their Session held at Boston on the twentieth Day of October 1663, Grant unto the said Cpt Edward Johnson Two Hundred Acres of Land with Liberty to take it in any free Place in the said Colony, An attested Copy of which Grant is herewith exhibited, That the said Land has not as yet been taken up & the said Grant remains unsatisfied, The Petitioner therefore in Behalf of himself & the other Heirs prays Leave to take up & lay out the said Quantity of Land in a proper figure in some Place as yet not granted by a Surveyour & Chain Men under Oath, & present the Plat to be taken to this Court for Confirmation

Read &

Ordered that the Prayer of the Petition be granted, Provided the said Two Hundred Acres has not been formerly taken up. [*Passed November 14.*]

CHAPTER 106.

RESOLVE FOR JUSTICES IN INDIAN AFFAIRS ON NANTUCKET.

Legislative
Records of the
Council, x.,
187.

Executive
Records of the
Council, vi.,
619. House
Journal, p. 36.

Resolved that John Otis William Basset & Peter Thacher Esq^{rs} Justices for the Indians within the County of Barnstable or any two of them at one Time with any two of the Justices of the Inferior Court of Common Pleas on the Island of Nantuckett & no more be & hereby are impowered & appointed from Time to Time to be Justices of the Inferior Court of Common Pleas & Generall Sessions of the Peace to hear & determine all Causes & Matters of Difference between the English & Indians, & Indian & Indian on the s^d Island And that a Bill be prepar'd accordingly. [*Passed November 14.*]

CHAPTER 107.

RESOLVE ALLOWING £20 TOWARDS THE SUPPORT OF THE MINISTRY
IN FREETOWN.Legislative
Records of the
Council, x.,
189.A PETITION of the Select Men of Freetown,
[Read and]*Resolved* that the Sum of Twenty Pounds be allowed & paid out of
the publick Treasury towards the Maintenance of the Ministry, in the
said Town for the Year coming. [*Passed November 16.*]Legislative
Records of the
Council, x.,
187. House
Journal, p. 37.

CHAPTER 108.

RESOLVE FOR A HEARING BETWEEN SPRINGFIELD & ENFIELD.

A PETITION of Joseph Stebbins Shewing, that whereas a Vote past
in the House of Represent^{ves} at the Session in May last for Running a
new Line between Springfield & Enfield, There are many good Reasons
why the said Vote should be Reconsidered, For which Reasons (as in
said Petition alledg'd particularly) he humbly prays in Behalf of the
Town of Springfield that the ancient Line between the said Towns may
be Confirmed.Legislative
Records of the
Council, x.,
190.House Jour-
nal, p. 37.

Read &

Resolved that there shall be a Hearing of both Towns upon the said
Controversy before this Court on the second Wednesday of the Sessions
in May next, And that the present Represent^{ves} of Springfield & Enfield
notify their respective Towns thereof accordingly. [*Passed Novem-
ber 18.*]

CHAPTER 109.

RESOLVE ON THE MEM^o OF HARVARD COLLEGE OVERSEERS.A MEMORIAL of the Overseers of Harvard College¹ in Cambridge
In the House of Represent^{ves} Read &Legislative
Records of the
Council, x.,
190.*Ordered* that Major Habijah Savage M^r Timothy Lindal & Cpt. Jona-
than Dowse with such as the Hon^{ble} Board shall appoint be a Committee
in y^e Recess of this Court to consider what is proper to be done in An-
swer to this Memorial, And make their Report at the next Sessions:Legislative
Records of the
Council, x.,
188. House
Journal, p. 33.Read & Concur'd, And the Hon^{ble} Samuel Sewall, Thomas Hutch-
inson & Thomas Fitch Esq^{rs} are added to the Committee. [*Passed
November 18.*]

CHAPTER 110.

WESTERLY PART OF MARLBORÔ MADE A TOWNSHIP BY THE NAME
OF WESTBOROUGH.A PLAT of the Westerly Part of Marlborough called Chauncey [being]
presented by the Committee appointed by the General Court to view &
make Report of the said Land unto the said CourtLegislative
Records of the
Council, x.,
191.¹ Alleging press of students and lack of accommodation for them all in the college, and
praying action "as shall seem best." — Legislative Records of the Council, x., 188.

House Jour-
nal, p. 37.

Resolved that the Tract of Land contain'd & describ'd in this Plat be erected into a Township & called by the Name of Westborough, The Inhabitants to have & enjoy all Powers Privileges & Immunities whatsoever as other Towns have & do enjoy, And that the ungranted Lands lying within the same (Containing about Three Thousand Acres) be granted to the said Inhabitants; They paying for the same, as the Committee appointed by this Court this Session for Settling the Lands of the new Township that is contiguous shall order, And that out of the said Lands there be reserved a suitable & convenient Lott for the first settled Minister, Which Lott the said Committee shall sett out. [*Passed November 18.*]

CHAPTER 111.

RESOLVE APPOINTING NATH^L BLAGROVE TO RUN THE LINE ON RHODE ISLAND.

Legislative
Records of the
Council, x.,
191.

Resolved that Nathaniel Blagrove Esq^r be added to the Committee appointed to run & settle the Line between this Province and the Colony of Rhoad Island. [*Passed November 18.*]

House Jour-
nal, p. 38.

CHAPTER 112.

RESOLVE FOR EMITTING £6,000 AND PROVIDING SECURITY.

Legislative
Records of the
Council, x.,
191.

House Jour-
nal, p. 39.
Province
Laws, ii., 96.

Resolved that the Treasurer be & hereby is Directed & Impower'd to issue forth & emitt of the Bills of publick Crèdit receiv'd into the Treasury the Sum of Six Thousand Pounds for Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government & the necessary Protection & Preservation of the Inhabitants of this Province & for the Subsistance of Forts & Garrisons & Wages arising for their Service, for Payment of Grants Salaries & Allowances made & to be made by this Court, according to such Draughts as from Time to Time shall be made upon him by Order of the Governour or Commander in Cheif for the Time being by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein express'd equivalent to Money & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five Pounds per Cent more

And as a Fund & Security for the Same, There be & hereby is Granted to his most Excellent Majesty to the Ends & Uses as afore-said A Tax of Six Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion on the several Towns & Districts within the same as shall be agreed on & Ordered by the Great & General Court or Assembly for this Province at their Session in May Anno 1722, & paid into the Treasury on or before the last Day of December next after. [*Passed November 18.*]

CHAPTER 113.

RESOLVE DISCHARGING JOS. RYAL & NICH^o SPARROW AS SURETIES
FOR PAYMENT OF EXCISE.

A PETITION of Joseph Ryal & Nicholas Sparrow, Shewing that whereas the Petitioners were Surety. for Rebeckah Philpot who was licenced to be an Inn-Holder within the Town of Boston for the Year 1713, & were jointly & severally bound together with her the said Rebeckah Philpot, that she should pay the Sum of Four Pounds as an Excise for her Draught the said Rebeckah Philpot soon after she obtain'd her Licence, was visited with Sickness, which took her off from her Employment, & of which Sickness she soon after died without Estate; The Petitioners therefore pray that this Court would discharge them from the Payment of the s^d Money for which they were bound.

Read &

Resolved that the Prayer of the Petition be granted. [*Passed November 18.*]

Legislative
Records of the
Council, x.,
192.
House Jour-
nal, p. 39.

CHAPTER 114.

RESOLVE MAKING WEST SWANZEY A TOWNSHIP BY THE NAME OF
BARRINGTON.

Resolved that Phœbus Neck & New Meadow Neck within the Town of Swanzeay, be & hereby is Erected into a Township by the Name of Barrington, And the Inhabitants thereof a¹ vested with all the Rights Powers & Privileges that other Towns within this Province have or by Law ought to have and enjoy. [*Passed November 18.*]

Legislative
Records of the
Council, x.,
192.
House Jour-
nal, pp. 39, 40.

CHAPTER 115.

RESOLVE CONTINUING THE GUARD AT SMALL POINT.

A PETITION of the Proprietors & Inhabitants of Augusta, Shewing that the Petitioners having erected a Fishing Town upon Small Point in Casco Bay, under the Countenance & Protection of an Officer & ten Men allow'd by this Court for One Year, that they have built Stages & Store-Houses & other Accommodations both for the Fishery & the Dwellings of the Inhabitants & they are about to erect a Stone Fort that may be defensible both by Sea & Land, They pray that the Hon^{ble} Court would continue the said Guard of an Officer & ten Men for one Year more, the first Year being now near expired.

Read &

Resolved that the Prayer of the Petition be granted. [*Passed November 18.*]

Legislative
Records of the
Council, x.,
192.
House Jour-
nal, p. 38.

¹ Sic.

CHAPTER 116.

ORDER GRANTING AN APPEAL TO JOHN PORTER.

Legislative
Records of the
Council, x.,
192.

House Jour-
nal, pp. 37, 41.

A PETITION of John Porter of Wenham Shewing that a Committee appointed by the Sessions of the Peace for the County of Essex laid out a High Way through the Petitioners Land after the Select Men of Wenham had laid out another High-Way through the said Land, Which is very much to the Damage of the said Petitioner, Of which their Doings the said Committee did make Report to the said Court of Sessions the twenty eighth of December 1714, Who approv'd & confirm'd the same during the Absence of the Petitioner, & so he had no opportunity to appeal from their Judgment, Wherefore the Petitioner prays this Court would grant him the Benefit of an Appeal from the said Courts Judgment to the next Superior Court of Judicature & Court of Assize to be holden for the County of Essex, That so the Petitioner may have a fair Trial in a matter that so much concerns him

Read &

Ordered that the Prayer of the Petition be granted, And that John Porter prepare a Bill accordingly. [*Passed November 19.*]

CHAPTER 117.

ORDER ON THE PETITION OF THE FEOFFEEES OF ROXBURY SCHOOL IN REGARD TO A PLAT OF LAND.

Legislative
Records of the
Council, x.,
193.

House Jour-
nal, p. 40.

A PETITION of the Select Men & the Feepees of the Free School in Roxbury, Shewing that whereas the General Assembly has made a Grant to the said Free-School of Five Hundred Acres of Land to be taken up in any of the Countrys Lands, Which Grant was allowed to be taken up & surveyed, Provided it did not trench on any former Grant & whereas the Time for Returning a Plat of said Land into the General Assembly is now lapsed, & the Land (tho it be found & taken-up) is not yet surveyed, The Petitioners pray that they may be allowed by a Surveyonr & Chain Men under Oath to measure the said Five Hundred Acres of Land & return the Plat thereof to this Hon^{ble} Court for their Confirmation

Read &

Ordered that the Prayer of the Petition be granted. [*Passed November 19.*]

CHAPTER 118.

VOTE ALLOWING COUNTY TREAS^r OF BRISTOLS ACCO^t.

Legislative
Records of the
Council, x.,
193.

House Jour-
nal, p. 40.

THE ACCOMPT of Nathaniel Payne Treasurer of the County of Bristol, Amounting to One Hundred thirty seven Pounds eighteen shillings & nine pence presented :

Read & Allow'd. [*Passed November 19.*]

CHAPTER 119.

RESOLVE ON THE PETITION OF PROPRIETORS OF SUFFIELD CONFIRMING A SETTLEMENT OF DIFFERENCES IN REGARD TO COMMON LANDS.

A PETITION of Edward Burlistone in Behalf of himself & twenty others Proprietors of the Common & Undivided Lands in the Town of Suffield, Shewing that whereas the General Assembly did order that in Case the Inhabitants of the said Town did not end the Differences that were arisen about the said Lands within the Space of Three Months, Then the Justices of the Peace for the County of Hampshire should hold a special Session for the Hearing both Parties, And that the Determination of the s^d Justices should put a final Issue to the said Differences; In Pursuance of which Order a Sessions was held in said Town on the 10th of January, At which all the Votes & Acts of the said Town respecting the said Lands contended for were made null & void, That the Party adverse to the Petitioners have presumed (notwithstanding the Act of the said Sessions) to call Proprietors Meetings, At which they have continued all the Town Grants Gifts & Sales of Land which were condemn'd & made void at the said Sessions, Wherefore the Pe[titioners] pray that this Hon^{ble} Court would stand by & Confirm the Act of the said Justices in their Sessions at Suffield

Read &

Resolved that the Act & Determination of the special Sessions holden at Suffield Janu 10. 1715, (Reported to this Court) with the Explanation thereof be Accepted & Confirmed. [*Passed November 19.*]

Legislative
Records of the
Council, x.,
194.

House Jour-
nal, p. 37.
Sheldon's Doc-
umentary
History of
Suffield, pp.
107, 189, 190, 192,
193, 194, 199, 201,
202.

CHAPTER 120.

ORDER ACCEPTING THE COMMITTEES REPORT AB^T THE WORKS AT CASTLE WILLIAM.

THE REPORT of the Committee appointed by both Houses to view the Works at Castle William & represent to the Court what Repairs they think are necessary (upon a Memorial of the Hon^{ble} William Dummer Enter'd Nov. 12.) Setts forth, That in Obedience to the said Order, the Committee had been at his Majesties Castle William, & are humbly of Opinion, that the Epoluments being decayed, It is necessary that each of them should be faced with Stone in their Fronts, as soon as the Weather in the Spring ensuing will admitt thereof, That it is necessary for the Defence of the said Garrison that the Covert Way from the Fort to the lower Battery be Casemated with Brick or Stone, That Three Thousand White Cedar Pallisades from six to eight Inches Diameter & ten feet long be provided to make good those in the several Lines that are decayed, And that y^e Roof of the Chappel needs Reparation

Legislative
Records of the
Council, x.,
194.

Legislative
Records of the
Council, x.,
177. House
Journal, p. 40.
Ante, p. 557,
chap. 98.

(Signed) WILLIAM TAILER in Behalf of the Committee

In the House of Represent^{ves} Read &

Ordered that the Report be so far Accepted that the Repairs mentioned therein be proceeded in as soon as conveniently may be, Excepting the second Article referring to the Casemating the Covert Way, And

Cpt Joseph Wadsworth & Cpt Jonathan Dowse are appointed a Committee to see them effected

Read & Concur'd; And the Hon^{ble} Leiv^t Governour William Dummer Esq^r is added to the Committee

In the House of Represent^{ves}

Read & Concur'd. [*Passed November 19.*]

CHAPTER 121.

ORDER OF HEARING ON JOHN ELLIS'S PETITION, PRAYING RECONVEYANCE OF LAND.

Legislative
Records of the
Council, x.,
195.

House Jour-
nal, p. 40.

A PETITION of John Ellis of Brooklyn Shewing that one Simon Rogers of Boston Son in Law to the Petitioner under Pretence that the Petitioner's Wife had contracted considerable Debts, to the Payment of which he insinuated the Petitioners Estate is liable, Perswaded the Petitioner to make a Conveyance of a certain Messuage & thirty Acres of Land thereto belonging by a certain Instrument prepared for that Purpose to him the said Rogers, For which he promis'd to give the Petitioner a Defeazance, Wh^h still secures the Petitioner as to the afores^d Estate, But that after the Petitioner had executed the said Instrument of Conveyance, the said Rogers absolutely refused to give any such Defeazance, but has brought an Action against the Petitioner at the last Inferior Court of Common Pleas for the County of Suffolk for the Rent of the said House & Lands in which Action the Petitioner was cast. The Petitioner therefore prays that he may be admitted at a certain Day to make good these his Suggestions before this Court, & that the said Simon Rogers may be cited to appear & shew Cause, If he can why the Premisses ought not to be reconveyed to the Petitioner

Read &

Ordered that the Petitioner serve Simon Rogers the adverse Party with a Copy of this Petition, that he may shew Reason if he can, Why the Prayer thereof should not be granted on the first Tuesday of the next Session of this Court. [*Passed November 19.*]

CHAPTER 122.

VOTE ACCEPTING THE COMMITTEES REPORT AB^t DEERFIELD PLAT.

Legislative
Records of the
Council, x.,
195.

House Jour-
nal, pp. 40, 41.

THE COMMITTEE appointed by this Great & General Assembly to consider the Reasonableness of Allowing the Platt of Deerfield taken by Order of the House of Represent^{ves} having maturely considered the Evidences & Pleas thereabout, Are humbly of Opinion that the Bounds of the seven Miles Square granted to Deerfield shall be & remain according to Platt now exhibited to this Great & General Court, Provided the Line run from the North Eng^l of said Tract to the Great [River] & be an East Line

Nov. 19. 1717. By Order of the Committ^{ee} NATH^l BYFIELD

Read & Accepted. [*Passed November 19.*]

CHAPTER 123.

RESOLVE FOR MAKING VOID THE GRANT OF WHITEHALL FARM TO COL^d BUCKMINSTER.

WHEREAS the Great & General Court or Assembly in Answer to the Memorial of the Hon^{ble} the Trustees of Hopkinston appointed Us the Subscribers to be surveyours to perform the Service therein prayed for, At the Desire of the Trustees We repair'd to the Farm called Whitehall Farm, and having Cited M^r Joseph Sherman the Surveyour who protracted that Farm, He accordingly mett us on or about the twentieth of July at the said Farm, & being sworn where & how he protracted the Lands before mentioned, He went to a Place where he said he began. Wh^h was on the Westerly side of & about four Rod distant from a Brook on which stands a Saw Mill; And he told us that there or thereabouts he planted his Instrument, when he began the Protraction; We ask'd him whether he did not begin on the East Side of the Brook, He answer'd, he did not, but that he took a back Sight over the Brook, And there being one of the former Chain Men present, We demanded of him, Whether they had measured over the Brook, he replied, they had not; We planted our Instrument at the Place where M^r Sherman said he began, & proceeded on the Course which his Plan gave, supposing said Sherman could have shewed us the Bounds from Angle to Angle, But when we came where we expected the second Angle, the said Sherman could not be positive in it, And then we proceeded towards the third Angle, but neither could he shew us where that was, But the fourth he said he remembered Wh^h was a small Heap of Stones near a white Oak by the Side of a way leading into a Cedar Swamp, from thence we went to a Crotch White Oak shew'd us for the South West Angle, but M^r Sherman said he could not remember it to be a Corner Mark, From thence we proceeded upon the true Course assign'd in M^r Sherman's Plan, which brought us first to a mark'd Pine, & then to a Mable standing in a Meadowish Swamp a little to the South West of a Pond, but M^r Sherman could not say any thing to it, We then ask'd him as he was on his Oath, Whether he had shewn us what he could of the Bounds of that Farm, he replied he had & further answer'd He was uncertain & could not remember mone¹ yⁿ he had shew'd us, The Land contain'd within the Lines abovemention'd is about Five Hundred sixty three Acres & three Quarters. A Plan thereof is herewith exhibited

SAM^{LL} THAXTER
JOHN CHANDLER

Boston Nov. 2. 1717.

Whereas a Plat of a Tract of Land commonly known by the Name of Whitehall Farm lying in the Town of Hopkinston surveyed & platted by M^r Joseph Sherman was presented to this Court by Joseph Buckminster Esq^r & Confirm'd to him with this Proviso; viz Provided the Platt exceed not the Quantity of the Grant (being Three Hundred Acres) And whereas it appears by the Report of Samuel Thaxter & John Chandler Esq^r (who were appointed by this Court at their Sessions in May last to view the uncertain Bounds of the said Farm) That the Land contained in the said Platt is about Five Hundred sixty three Acres & three Quarters;

Resolved that the Grant of the said Land as delineated in said Plat be declared null & void, & that the Land belongs to the Province as heretofore. [*Passed November 19.*²

¹ *Sic*, for "more."

² See chapter 124, *infra*.

CHAPTER 124.

ORDER ABT THE TIMBER ON WHITEHALL FARM.

Legislative
Records of the
Council, x.,
197.

House Jour-
nal, p. 41.

Ordered that the Trustees for the Legacy of M^r Hopkins be desired & impowered to take Care that no Strip or Wast be made of the Wood or Timber on the Three Hundred Acres of Land, Which this Court hath resolved to rest¹ in the Province ungranted Lands, by the Voiding y^e Grant of Whitehall Farm formerly made to Joseph Buckminster Esq^r. [*Passed November 19.*²]

CHAPTER 125.

ORDER ON WILLIAM DENISONS PETITION IN REGARD TO THE SETTLEMENT OF HIS FATHER'S ESTATE.

Legislative
Records of the
Council, x.,
197.

House Jour-
nal, p. 42.

A PETITION of William Denison Esq^r of Roxbury in the County of Suffolk Shewing that the Petitioners Father Dec^d did by his last Will & Testament Order that after the Decease of his Wife his Estate remaining should be divided into two equal Parts, of which the Petitioner was to have one, & the other half to be shared between the Sisters of the Petitioner, That the Petitioners Mother died in February last, Upon which the Petitioner did Notifie his only surviving Sister & the Representatives of those deceased. of the Death of their Mother, & that they all save two mett to agree upon a Division of the aforesaid Estate, One of the two was a Minor, whose Mother & Father in Law did desire the Petitioner to undertake the Guardianship of the said Minor, the other was of Age but did refuse to join with the other Persons concerned in the Division of the said Estate, on which they did all besides very amicably agree, & acknowledged the Articles of y^r Agreement before the Hon^{ble} the Judge of Probate; The Petitioner therefore prays the Hon^{ble} Court to allow the said Agreement to be a Settlement of the said Estate, Notwithstanding the obstinate Refusal of the abovesaid Person to join with them, or that they would find out some other way in their great Wisdom & Justice to relieve the Petitioner

[In Council] Read &

Ordered that the Prayer of the Petition be granted, And that the Petitioner prepare a Bill accordingly: In the House of Represent^{ves} Read & Concur'd; The Bill to be brought in this Session if there be opportunity, If not the next Session:

[In Council] Read & Concur'd. [*Passed November 20.*]

CHAPTER 126.

ORDER APPOINTING A COMMITTEE TO CONSIDER PHIL. ENGLISH'S PETⁿ.

Legislative
Records of the
Council, x.,
147, 198.

House Jour-
nal, p. 43.
Post, p. 574,
chap. 143.

A PETITION of Philip English of Salem, Praying Consideration & Allowance for a great Part of his Estate taken from him (as was said) by lawful Authority in the late sorrowful time of the Witchcraft

In the House of Representatives; Read &

Ordered that M^r Speaker Burril, M^r Isaiah Tay & Jonathan Reming-

¹ *Sic.*

² See chapter 123, *supra*.

ton Esq^r with such as the Hon^{ble} Board shall appoint be a Committee to Consider of this Petition, & all the Papers relating thereto, & Report what they think proper to be done in Answer thereto to this Court at y^r next Session :

Read & Concur'd; And the Hon^{ble} Thomas Fitch & Elisha Cook Esq^r are added to the Committee. [*Passed November 20.*]

CHAPTER 127.

RESOLVE ALLOWING THE COMMISS^{rs} OF THE £100,000 LOAN TO LOAN BILLS ON PERSONAL SECURITY.

UPON A QUESTION moved by the Commissioners appointed to. let out the Proportion of the Bills of Credit belonging to the County of Middlesex, Pursuant to the Act entituled An Act for the Making & Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province, upon the Sense of these Words in the first Paragraph of the said Act, Viz," Who are to let out the said Bills to such of the Inhabitants of this Province who desire it, Viz, Question, Whether the Commissioners of each County are impowered thereby after three Months to let out any of the Bills that may remain in their Hands to Persons not having any real Estate in the County where the Bills are to be let out upon good & sufficient Security as the said Act directs in any other County of this Province?

It Pass'd in the Affirmative with Direction to the respective Commissioners to be very circumspect & cautious that the Security which they take be good & sufficient. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
199.

House Jour-
nal, p. 41.
Province
Laws, ii., 61, 69.

CHAPTER 128.

VOTE ACCEPTING DRAUGHT OF A LETTER TO THE AGENTS.

A DRAUGHT of a Letter¹ prepared by the Committee of both Houses in Answer to the last Letter of M^r Agent Dummer
Read & Accepted. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
199.

Legislative
Records of the
Council, x.,
183, 190.
House Jour-
nal, p. 43.

CHAPTER 129.

ORDER AB^t A PLAT OF LAND FOR SHERBURN.

A PLAT of Land granted to the Town of Sherburn was presented
Ordered that this Plat be not allowed, but that the Town of Sherburn be permitted to take a Plat of Three Thousand Acres only at the Place where they took this by a Surveyour and Chain Men under Oath & present the same to this Court for Allowance at their Session in May next, And in the mean Time the said Town is impowered to prosecute any Person that shall [cutt]² any Wood or Timber on the said Land. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
199.

House Jour-
nal, pp. 42, 43.

¹ This letter has not been found.

² Inserted from the State Library copy, Legislative Records of the Council, x., 221.

CHAPTER 130.

RESOLVE ALLOWING £5 TO SAM^L TYLEY.Legislative
Records of the
Council, x.,
200.House Jour-
nal, p. 43.

A PETITION of Samuel Tyley jun^r Shewing that he hath engross'd several Acts of the Assembly & done other Work for the Province, Of which he doth herewith exhibit an Accompt, being read,

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to M^r Samuel Tyley jun^r to Discharge this Accompt. [*Passed November 20.*]

CHAPTER 131.

RESOLVE ALLOWING £26. 16. 2 TO JOHN CAMPBELL.

Legislative
Records of the
Council, x.,
200.House Jour-
nal, p. 40.

AN ACCOMPT of John Campbel Post Master,
Read &

Resolved that the Sum of Twenty six Pounds sixteen shillings & two pence be allowed & paid out of the publick Treasury to M^r John Campbell the Accomptant in full of this Accompt.¹ [*Passed November 20.*]

CHAPTER 132.

VOTE ALLOWING C^O TREASURERS ACCO^T OF MIDDLE^X.Legislative
Records of the
Council, x.,
200.House Jour-
nal, p. 40.

AN ACCOMPT of Daniel Russell Treasurer of the County of Middlesex, Amounting to Three Hundred forty two Pounds six shillings & seven pence, Was presented

Read & Allowed. [*Passed November 20.*]

CHAPTER 133.

RESOLVE ALLOWING £500 TO THE GOV^R.Legislative
Records of the
Council, x.,
200.House Jour-
nal, p. 41.

Resolved that the Sum of Five Hundred Pounds be allowed & paid out of the publick Treasury to His Excellency Samuel Shute Esq^r Cpt General & Governour in cheif of this his Majesties Province for his Support in Managing the Affairs of the Government. [*Passed November 20.*]

CHAPTER 134.

RESOLVE ALLOWING £50 TO THE L^T GOV^R.Legislative
Records of the
Council, x.,
200.House Jour-
nal, p. 41.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Honourable William Dummer Esq^r Lieutenant Governour in Consideration of his Readiness at all times to serve this Province. [*Passed November 20.*]

¹ "For Postage Publick Letters &c^t." — Mass. Archives, exxiii., 113.

CHAPTER 135.

RESOLVE ALLOWING £300 STERLING TO M^r AGENT DUMMER.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three Hundred Pounds Sterling to be paid to M^r Jeremiah Dummer in London Agent for this Province further to enable him to Negotiate the Affairs thereof. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
200.

House Jour-
nal, p. 42.

CHAPTER 136.

RESOLVE ALLOWING £30 TO M^r JOHN WHITE.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to John White Clark of this House for his Service in the Year Currant

Read & Concur'd. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
201.

House Jour-
nal, p. 42.

CHAPTER 137.

RESOLVE ALLOWING £25 TO JOHN FLAGG.

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury to M^r John Flagg Door Keeper to his Excellency the Governour the Honour^{ble} Council & this House for his Service half a Year ending the twenty sixth Day of the next Month:

Read & Concur'd. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
201.

House Jour-
nal, p. 42.

CHAPTER 138.

RESOLVE ALLOWING £50 TO JOS. MARION.

A MEMORIAL of Joseph Marion Shewing that for Fifteen Months last past he has officiated solely in the Secretarys Office, And that since the Sessions of the Assembly in May 1716, there has been no Allowance made therefor, That the Petitioner has with all Industry discharged his Duty in the said Office, & by his Deligence brought up & fairly Engross'd the publick Business of the Government to the first Day of this present Session, that the publick Business of that Office doth annually increase, that especially the Business of the last Summer by Reason of the frequent Meetings of the Council occasioned by the Pirates infesting the Coast has been very great, And that the making up & Engrossing the Business of this present Session necessarily lies upon the Petitioner, He therefore prays the Consideration of this Court as to the Premisses, And that they will be pleas'd to make him a suitable Allowance

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to M^r Joseph Marion Deputy Secretary for his extraordinary Service in that Office for fifteen Months past. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
201.

House Jour-
nal, p. 41.

CHAPTER 139.

VOTE ACCEPTING THE REPORT ON THE AFFAIR OF LITTLE HINGHAM.

Legislative
Records of the
Council, x.,
201.

Legislative
Records of the
Council, x.,
198. House
Journal, pp. 43,
44.

THE REPORT of the Committee upon the Affair of Little Hingham (Committed [on order passed] Nov^r 12¹) is as follows, viz.

PURSUANT to the aforesaid Order We have considered the present Affair of Little Hingham, And are humbly of Opinion that it is proper & reasonable that the dividing Line should be & remain as stated by the former Committee that went upon the Place; All which is humbly submitted, Nov. 21. 1717

JN^o HIGGINSON in the Name of the Committee

Read & Accepted. [*Passed November 21.*]

CHAPTER 140.

ORDER FOR A MINISTER AT TIVERTON.

Legislative
Records of the
Council, x.,
202.

Legislative
Records of the
Council, x.,
188. House
Journal, p. 43.

Ordered that the Justices of the Court of Quarter Sessions in the County of Bristol be Directed to procure a suitable Minister to reside at the Town of Tiverton for one Year, & that the Sum of Seventy Pounds be allow'd out of the publick Treasury for his Support. [*Passed November 21.*]

CHAPTER 141.

ORDER OF HEARING ON ELIPH^r COFFIN &c. PETⁿ FOR A NEW TRIAL.

Legislative
Records of the
Council, x.,
202.

House Jour-
nal, p. 44.

A PETITION of Eliphalet Coffin &c Shewing that the Petitioners brought their Action against Samuel Webber of York on the third Day of January 1715. at the Inferior Court of Common Pleas then held at York For that the said Webber did illegally enter upon & withheld from the Petitioners twenty Acres of Land within the Town of York aforesaid of Right belonging to the Petitioners, That the Defendant Webber did obtain a Judgment against the Petitioners at the said Inferior Court, from wh^h the Petitioners did appeal to the Superior Court in the County of York, At which Court the Petitioners obtained a Judgment in their Favour, Upon which Deborah Webber the Executrix of the s^d Samuel Webber did bring a Writ of Review to the Superior Court held in Kittery in the County of York in the sixteenth Day of May 1717, At which Review the Petitioners were cast. because that many of the Jurors upon the Review were likewise Jurors at the Inferior Court when the first Judgment was given against the Petitioners, Wh^t they concieve to be illegal & contrary to the Practice of other Courts in this Province, The Petitioners therefore pray that the Hon^{ble} Court would give them Liberty to bring on their Action to an other Trial

Read &

Ordered that a Hearing be had on this Petition upon the second Fry-day of the Session of this Court in May nest² And that the Petitioners

¹ A mistake, it seems, for November 20.

² *Sic.*

serve Deborah Webber the Executrix of Samuel Webber late of York in the County of York Dec^d with a Copy of this Petition, that she may shew cause if any she have why the Prayer thereof may not be granted; the Charge to be paid as this Court shall order. [*Passed November 22.*]

CHAPTER 142.

RESOLVE IMPOWERING COMMISS^{rs} TO SETTLE DIFFERENCES & RUN THE LINE ON RHODE ISLAND.

WHEREAS this House is informed that the Government of Rhoad Island have fully empowered the Committee which they have appointed to run the Line between this Province & that Government, to agree,¹ compromise & issue the Difference between the Governments in that Affair & finally settle the Dividing Boundaries;

Legislative
Records of the
Council, x.,
203.
House Jour-
nal, p. 44.

Resolved that if the said Committee shall attend that Service so empowered, that the Committee appointed by this Court to join in Running the said Line be also vested with the like Powers, And are hereby fully empowered to agree compromise & issue the Difference between the Governments in the s^d Affair & to make a full & final Settlement of the Line between that Government & this, And make Report of their Doings to this Court

Read & Concur'd. [*Passed November 22.*]

¹ *Sic.*

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE SIXTH DAY OF FEBRUARY, A.D. 1717.

CHAPTER 143.

ORDER CONTINUING THE COM^{TEE} ON PHILLIP ENGLISH'S PET^N.

Legislative
Records of the
Council, x.,
208.

Legislative
Records of the
Council, x.,
213. House
Journal, p. 47.
Ante, p. 568,
chap. 126.

UPON THE REPRESENTATION of the Committee upon Philip Englishes Petition, That by Reason of the Sickness of the said Philip English, which prevented his Meeting the said Committee at Boston, & other Accidents intervening, They could not come to any Determination nor give a Report on the said Affair this Session;

Ordered that the Committee be continued, And that they make Report as above at the Session of this Court in May next. [*Passed February 7.*]

CHAPTER 144.

RESOLVE ACCEPTING THE COM^{TEES} REPORT AB^T BURNING BILLS.

Legislative
Records of the
Council, x.,
209.

House Jour-
nal, p. 46.

IN OBEDIENCE to an Order of the Great & General Court at their Session in May 1717, appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c, We have accordingly receiv'd of M^r Treasurer Allen the several Bills of the Denominations in the Accompts on the other side, Amounting to the Sum of Ten Thousand one hundred forty three Pounds five shillings & seven pence half peny at their express Value; All of which Bills we have consumed to Ashes, Whereof Six Thousand six hundred thirty eight Pounds fourteen shillings & five pence half peny Part of the above Sum were delivered us upon the Accompt of the Province, as being received for Taxes Impost & Excise, which with the five per Cent advance as they were taken into the Treasury, amounts to the Sum of Six Thousand nine hundred seventy Pounds thirteen shillings & two pence, Also Three Thousand five hundred & four Pounds eleven shillings & two Pence neet Bills received of the Trustees mentioned on the other side, Making in the whole Ten Thousand four hundred seventy five Pounds four shillings & four Pence. As Witness our Hands the 30 Day of Dec^r 1717

CHARLES CHAMBERS
JONATH^N DOWSE
WILLIAM DENISON
HABIJAH SAVAGE
ISAIAH TAY

JOSEPH WADSWORTH
PENN TOWNSEND
THO: HUTCHINSON
THOMAS FITCH
EDW^D HUTCHINSON

Resolved that the above Report be accepted, And that the Treasurer be Discharged of the Sum of Ten Thousand four hundred seventy five Pounds four shillings and four pence accordingly. [*Passed February 7.*]

CHAPTER 145.

ORDER FOR A PROJECTION OF AN ADDITIONAL BUILDING TO HARVARD COLLEGE.

THE REPORT of the Committee appointed to Consider about Erecting an Additional Building to Harvard College,
Read &

Ordered that the above mentioned Committee be desired to prepare & lay before the Court a Projection of such additional Buildings, as they think necessary to be erected at present, & a Computation of the Charge it will probably amount to, that further Consideration may be had thereof. [*Passed February 7.*]

Legislative
Records of the
Council, x.,
210.

Legislative
Records of the
Council, x.,
207. House
Journal, pp. 46,
47.

CHAPTER 146.

ORD^R FOR TWO PRECINCTS IN BARNSTABLE.

A PETITION of John Bacon Agent for the Town of Barnstable Shewing that upon the account of the Remoteness of several of the Inhabitants from the Place of publick Worship, The said Town did at a Meeting regularly warned unanimously agree that the said Town should be divided into two Societies, & made choice of five Persons to be a Committee to settle the dividing Line between the said Societies, That the s^d Committee did on the tenth of October last pursuant to the Power given to them Agree & Determine that the said Divisional Line shall be as follows, viz Beginning on the Northerly Side of the High Way at the dividing Line between the Lands & the Meadow of Deacon Job Crocker & his Son Thomas Crocker on the West & the Lands of M^r David Loring on the East, as s^d Line runs Northerly from the said High Way to a Creek called Deacon Crocker's Creek, & thence as said Creek runs into the Bay or Harbour, And thence as the said Harbour runs to the Westerly End of the Island call'd Cottons Island, & then to run Northerly to the Sand Hills, by the Line that divides between the Meadow or Marshes of Liev Joseph Hinkley on the West, On the East on John Phenny, And then on the same Line across the Neck to the Sea, And from the first mentioned Bounds by the High Way to run Southerly on such a Line to a Pond called Coopers Pond, as shall leave John Crockers now Dwelling House (which stands on the Northerly Side of said Pond) ten Rods to the Westward of the said Line, And then to run more Westerly over said Pond on a streight Line to a Place called the Dirty Hole near the Head of a Brook called Trout Brook, & thence as said Brook runs Sconconet River, & thence as said River runs into the South Sea; That the said Town did at a Meeting Oct^r 24. 1717, Vote that the Report of the Committee concerning the divisional Line as abovesaid be Accepted & Confirmed, The Petitioner therefore prays in Behalf of the said Town, that the Town may be divided into two Precincts, according to the Report & Determination of the Committee, & the Vote of the Town as above, And that each Precinct may be enabled to Act by & for themselves from Time to Time hereafter, & have full Power to raise Money by Way of Rate in each Precinct apart for Building & Repairing Meeting Houses & Settling & Maintaining Ministers, That the Estates Real & Personal & Polls lying & being on the Westerly Side of said Line may be rated

Legislative
Records of the
Council, x.,
210.

House Jour-
nal, p. 46.

& pay unto the West Precinct, And those on the East Side of the said Line unto the East Precinct

Read &

Ordered that the Prayer of this Petition be granted, And that the Town of Barnstable be divided & parted into two distinct Precincts, According to the Bounds agreed on by them & sett forth in this Petition, Each of them to Enjoy & Exercise all the Powers & Privileges necessary for & belonging to a Precinct for Upholding & Supporting the Gospel Ministry. [*Passed February 7.*]

CHAPTER 147.

ORDER ON DAVID JEFFRIES PETITION, PRAYING STAY OF A JUDGMENT.

Legislative
Records of the
Council, x.,
212.

A PETITION of David Jeffries Esq^r Shewing that the Petitioner had & received Two Thousand Pounds of the Forty Thousand Pounds Loan of the publick Bills lent to supply the Fleet & Army in the late Expedition against Canada, That he has paid in two third Parts of the s^d Money to the Treasurer, & that the Delay of Payment of the Bills of Exchange drawn on the late Lord High Treasurer of Great Britain & other Hindrances have prevented the Petitioner from paying in the other third part of the said Two Thousand Pounds, That Pursuant to an Order of this Hon^{ble} Court the Treasurer of this Province has put in suit the Petitioner's Bond & Judgment is accordingly rendered against him, He therefore prays that Judgment may be stayed & that he may be further indulged with the Loan of the said remaining Third Part for the Space of One Year, He giving good & sufficient Security for the same.

Read &

Ordered that the Prayer of the Petition be so far granted, That if the Petitioner within the Space of Fourteen Days next coming give good & sufficient Security to the Province Treasurer to his Satisfaction, for paying what he owes with Interest on or before the seventh Day of February next, He may acquit the Petitioner from the said Judgment, The Petitioner also within the said fourteen days answering to the Treasurer all costs of Prosecution. [*Passed February 7.*]

CHAPTER 148.

ORDER GRANTING FRAMINGHAM PETⁿ FOR A NEW TRIAL IN REGARD TO THE SETTLEMENT OF MARGARET SERGEANT.

Legislative
Records of the
Council, x.,
213.

House Jour-
nal, p. 48.

A PETITION of Joseph Buckminster &c in Behalf of the Town of Framingham Shewing that the Court of Sessions for the Peace for the County of Middlesex holden at Concor'd Aug 17. 1717, upon the Representation of the Select Men of the Town of Weston, that one Margaret Serjeant was by the Select Men of the Town of Framingham imposed on them as an Inhabitant, Did order that the Select Men of Framingham should be notified to appear at the next Court of Sessions to be holden at Charlestown, to shew reason why the said Person might not be settled on the said Town of Framingham, That they thrô Misunderstanding among themselves were not provided for their Defence, so that Judgment went against the said Town, from which two of the Petitioners in Behalf of the Town did appeal immediately

to the next Superior Court to be holden at Charlestown for the said County, Wh^h Appeal was Accepted & Allowed by the said Court, But the Appellants not suspecting the aforesaid Cause to be Criminal, Neglected to enter into Recognizance for Prosecuting their Appeal, Whereupon the Action of the Petitioners was bar'd at the said Superior Court, The Petitioners therefore pray that this Hon^{ble} Court will interpose their Authority & Order that at the next Sessions they may enter into Recognizance & file their Reasons anew & that their Appeal may proceed, so that they may have Liberty to prosecute the same at the next Court of Assize to be holden at Cambrid[g]e for the County aforesaid

Read &

Ordered that the Prayer of the Petition be granted.¹ [*Passed February 8.*]

CHAPTER 149.

RESOLVE ALLOWING 40/ TO ONNA THOMAS.

IT BEING REPRESENTED to this House, that Onna Thomas a poor helpless Widow Woman driven in from the Eastern Parts in the late War, & at present residing in the Town of Lyn, stands in need of Relief, And it not appearing that she belongs to any Town from whom she can have Support;

Resolved that the Sum of Forty Shillings be allowed & paid out of the publick Treasury to M^r Speaker Burrill to be disposed of by him for her present Relief

Read & Concur'd. [*Passed February 8.*]

Legislative
Records of the
Council, x.,
213.

House Jour-
nal, p. 48.

CHAPTER 150.

RESOLVE ALLOWING 50/ TO HENRY BRIGHT.

Resolved that the Sum of Fifty Shillings be allowed & paid out of the publick Treasury to Henry Bright for his Service as a Messenger to this House to carry Warrants to several Member's to attend the Court.

Read & Concur'd. [*Passed February 10.*]

Legislative
Records of the
Council, x.,
214.

House Jour-
nal, p. 48.

CHAPTER 151.

ORDER APPOINTING A COMMITTEE ON THE DIFFERENCES BETWEEN BARNSTABLE AND THE INDIANS OF MASHPEE.

A PETITION of Joseph Crocker & others of Barnstable Setting forth that the Lotts & Shares sett of to them in the Division of the Common Lands of the said Town are adjoining to the Lands formerly settled upon & secured to the Indians of Mashpee, & South Sea by the General Court of Plimouth, that of late Controversies have arisen between the s^d Indians and them about the Bounds of their Lands, that they are unwilling to contend with the said Indians in the Common Law by Reason of the Poverty of the said Indians & other Inconveniencies, And therefore pray this Court to take some suitable & effectual Method for the Ascertainning & Settling the Boundaries of the said Land to

Legislative
Records of the
Council, x.,
214.

House Jour-
nal, p. 49.

¹ In Council added, "that the Petitioners bring in a Bill accordingly."

prevent any future Disputes, And humbly propose that they would appoint & impower three judicious & indifferent Persons to be a Committee, & come on the Land & hear & view & receive a full Understanding of the said Controversy & put a final End & Determination thereof

Read &

Order'd that Samuel Sturgiss Maletiah Borne Esq^r & M^r Samuel Jennings (Representative of the Town of Sandwich) be a Committee appointed & impower'd by this Court to go upon the Land & to view the same, & to determine the Controversy & settle the Boundaries between the English & the Indians mentioned in the Petition, & make Report to this Court at their next May Session for Confirmation. [*Passed February 10.*]

CHAPTER 152.

ORDER DESIRING COL^o HUTCHINSON TO MAKE A SHELTER FOR THE INDIANS AT AROWSICK.

Legislative
Records of the
Council, x.,
215.

House Jour-
nal, p. 48.

Ordered that Edward Hutchinson Esq^r be desired to take care to have a small Building erected at George Town on Arrowsick Island, for the Reception & Shelter of the Indians when they come there to prevent their inconvenient Intrusion on the English Inhabitants, the Cost not to exceed the Sum of Twenty Pounds. [*Passed February 10.*]

CHAPTER 153.

RESOLVE ALLOWING £4 TO JAMES SCOLLY.

Legislative
Records of the
Council, x.,
215.

House Jour-
nal, p. 48.

Resolved that the Sum of Four Pounds be allowed & paid out of the publick Treasury to James Scolly for his Service as Messenger to this House to summon several Members to attend his Majesties Service in this Court.

Read & Concur'd. [*Passed February 10.*]

CHAPTER 154.

ORDER ON GROTON PETITION, ALLOWING A PLAT OF THE TOWN, WITH CERTAIN EXCEPTIONS.

Legislative
Records of the
Council, x.,
216.

House Jour-
nal, p. 49.

A PETITION of John Sheply & John Ames Agents for the Town of Groton Shewing that the General Assembly of the Province did in the Year 1655, Grant unto M^r Dean Winthrop & his Associates a Tract of Land of Eight Miles quare¹ for a Plantation to be called by the name of Groton, that Thom^s & Jonathan Danforth did in the Year 1668, lay out the said Grant, but the Plat thereof through Neglect was not returned to the Court for Confirmation that the said Plat th^o something defaced is with the Petitioner, That in the Year 1713 M^r Samuel Danforth Surveyour & Son of the abovesaid Jonathan Danforth, at the desire of the said Town of Groton did run the Lines & make an Implatment of the said Township laid out as before & found it agreeable to the former. W^h last Plat the Petitioners do herewith exhibit, And pray that this Hon^{ble} Court would allow & confirm the same as the Township of Groton

Read, And

Ordered that the Prayer of the Petition be so far granted that the Plat herewith exhibited (Altho not exactly conformable to the Original Grant of Eight Miles quare¹) be accounted, Accepted & Confirmed as the Bounds of the Township of Groton in all parts, Except where the said Township bounds on the Township of Littleton, Where the Bounds shall be & remain between the Towns as already stated & settled by this Court, And that this Order shall not be understood or interpreted to alter or infringe the Right & Title which any Inhabitant or Inhabitants of either of the said Towns have or ought to have to Lands in either of the said Townships. [*Passed February 11.*]

CHAPTER 155.

RESOLVE ALLOWING £10 TO JONATHAN JACKSON.

A PETITION of Jonathan Jackson of Scituate Setting forth that he was greivously wounded by the Indians in the War called Philips War, of which Wounds he is not yet cured but by them disabled from Doing any thing for his Support, And therefore praying Releif of this Court

Legislative
Records of the
Council, x.,
217.

House Jour-
nal, p. 50.

Read &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Jonathan Jackson the Petitioner for his Releif. [*Passed February 12.*]

CHAPTER 156.

ORDER ALLOWING 30 ACRES OF LAND TO JOHN HIGGINSON.

A PETITION of John Higginson Esq^r Praying a Grant of a certain Strip of Wilderness Land scituate to the Northward of Merrimack River, & adjoining to the Lands of the Petitioner, for so much Money by the Acre, as may encourage him to purchase the same

Legislative
Records of the
Council, x.,
218.

House Jour-
nal, p. 51.

Read &

Ordered that the Prayer of the Petition be granted, Provided the Quantity of Land exceed not thirty Acres, The Petitioner paying into the publick Treasury after the Rate of five shillings per Acre for the same. [*Passed February 12.*]

CHAPTER 157.

ORDER OF HEARING ON JA^s LOWDEN & HENRY WILSONS PETITION, FOR A SETTLEMENT OF AN ESTATE.

A PETITION of James Lowden & Henry Wilson in Behalf of the Children, of Mary Wilson & James² Chamberlain, Daughters of John Cole of Charles-Town Mariner Dec'd, Setting forth that whereas Wigglesworth Sweetser of Boston & Ursula his Wife having insinuated to this Court at their Session in August 1713, that John Wampas alias White being indebted to John Cole late of Charleston Mariner (father of the said Ursula) for Service he did him in England in the Year 1675. did give unto the said Cole Three Hundred Acres of Land as *p* Deed, This Hon^{ble} Court pursuant to the Petition of the said Wigglesworth Sweetser

Legislative
Records of the
Council, x.,
218.

House Jour-
nal, p. 50.

¹ *Sic.*

² *Sic*, for "Jane," it seems. See near the end of the paragraph.

& Ursula his Wife ORDERED “That the Three Hundred Acres of Land petition’d for be confirmed to the Petitioners, Provided that it be not contain’d in any former Grant” The Petitioners therefore beg Leave to inform the Hon^{ble} Court, that the Sale of the Three Hundred Acres of Land was not made to the said John Cole Father to the said Ursula Sweetser, but was really & Bonâ Fide made to her Grand Father John Cole first named so that Jane Chamberlain & the Representatives of Mary Wilson ought to have a Share in the said Land, And Praying that the Hon^{ble} Court would take some fit & proper means to releive them in the Premisses

Read &

Ordered that the Petitioners serve Wigglesworth Sweetser & Ursula his Wife with a Copy of this Petition & that a Hearing be granted thereon before this Court on the second Wednesday of their Sessions beginning in May next, Unless the Parties shall agree & issue their Differences in the mean Time. [*Passed February 12.*]

CHAPTER 158.

ORDER APPOINTING A COMMITTEE ON JOHN HIGGINSON &c PETITION FOR A NEW TOWNSHIP IN THE WEST OF GROTON.

Legislative
Records of the
Council, x.,
218.

House Jour-
nal, pp. 49, 50.

A PETITION of John Higginson & Eighty others, Praying this Court would grant them a Tract of Land for a Township, adjoining to the Westerly Part of the Town of Groton and lying between the Towns of Dunstable & Lancaster

In the House of Represent^{ves} Read &

Ordered that Samuel Thaxter Jonathan Remington & Francis Fulham Esq^{rs} be a Committee to go upon & view the Land petitioned for, & Report what they think proper for this Court to act in Answer to this Petition, And inform themselves of the Condition & Circumstances of the Petitioners, Whether they are like speedily to bring forward a Settlement thereon, And that no Person presume in the mean Time to take up any private Grant on the said Lands:

In Council; Read & Concur’d; And William Tailer & Adam Winthrop Esq^{rs} are joined with the Committee of the House upon the affair above.¹ [*Passed February 12.*]

CHAPTER 159.

ORD^R FOR REFERRING THE AFFAIR OF ADDITION^L BUILDINGS TO HARVARD COLLEGE.

Legislative
Records of the
Council, x.,
220.

Legislative
Records of the
Council, x.,
210, 211.
House Jour-
nal, p. 50.

UPON CONSIDERATION of that Part of his Excellencys Speech which relates to the making Additional Buildings to Harvard College;

Ordered that the Thanks of this House be return’d to his Excellency the Governour for his Care to promote good Literature, without which Religion will not be upheld amongst us; But in as much as the Charge of the said Building is like to be very considerable, And a great Part of this House is absent, It is further

Voted that the Consideration of the said Affair is referred to the Sessions of this Court in May next when a full House may be expected

Read & Concur’d. [*Passed February 14.*]

¹ No concurrence by the House of Representatives is recorded.

CHAPTER 160.

ORDER OF HEARING ON SMITH & BUDS PETITION IN REGARD TO A
GRANT OF LAND.

A PETITION of Thomas Smith John Bud & Rebecca Bud his Wife, Shewing that in the Year 1679, One Whampers alias White an Indian Sachem conveyed to Edward Prat his Heirs & Assigns a Tract of Land at Assinamisco containing Eight Miles quare,¹ And that the said Edward Prat by his Deeds dated 1680, & 1681 Conveyed the One Eighth & the one sixteenth thereof to John Smith the Petitioners Father, That in the Year 1686, The Indians did by their Deed of Agreement duly executed, Confirm to the said Edward Prat & the Purchasers from him all the said Tract of Land, Excepting four Miles quare¹ thereof; That in the Year 1702, John Comber & William Mountford & others Interested in the said Grant petitioned the General Court to have a Sanction given to the said Grant & Confirmation of the Indian Deeds. Which was Voted in favour of the said Edward Prat &^c in the Year 1703, under certain Restrictions, That the late Governour Coll Dudly did by his Patent in the Year 1704, Confirm the said Grant under such certain Restrictions, as are therein express'd to John Comber, James Smith William Mountford, Joshua Hughes & others their Partners, viz Paul Dudly Esq^r John Jackson Mary Comber & Elizabeth Pittam Daughters & Coheirs to John Pitham Dec^d their Heirs & Assigns; That John Smith the Father of the Petitioners dying in the Year 1696, left no Issue but the Petitioners Thomas Smith & Rebecca Smith (now Wife of John Bud the Petitioner) then Infants, And they being ignorant of the said Proceedings and living at Philadelphia could not joyn with the Rest in the s^d Affair, & by means thereof were wholly neglected in the said Patent, And that there was no saving in the said Patent for the Representatives of the said John Smith; The Petitioners therefore pray this Hon^{ble} Court to take the Premisses into their Consideration, & to grant them such Releif as may in their Wisdom seem most meet.

Ordered that a Hearing be had on this Petition on the second Fryday of the next Session of this Court, And that the Petitioners serve some of the principal of the adverse Party with a Copy of this Petition. [*Passed February 14.*]

Legislative
Records of the
Council, x.,
211, 214, 221.

House Jour-
nal, pp. 49, 51.

CHAPTER 161.

RESOLVE ALLOWING £200 TO THE GOVERNOUR.

Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esq^r Captain General & Governour in Cheif of this his Majesties Province for his Support in Managing the Affairs of the Province, In Consideration of the Dearness of all necessaries of House Keeping. [*Passed February 14.*]

Legislative
Records of the
Council, x.,
221.

Executive
Records of the
Council, vi.,
542. House
Journal, p. 52.
Sewall's
Diary, iii., 169.

CHAPTER 162.

ORD^R FOR CHANGING COL^O FITCH'S BILL.

Ordered that the Treasurer receive of the Hon^{ble} Thomas Fitch Esq^r the Ten Shilling Bill of Credit on the late Colony of the Massachusetts Bay hereto annex'd, and give him a Ten Shilling Bill of Credit on the Province for the same. [*Passed February 14.*]

Legislative
Records of the
Council, x.,
221.

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1718-19.

LEGISLATIVE LIST¹

FOR

1718-19.

HIS EXCELLENCY SAMUEL SHUTE,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM DUMMER	}	ESQRS.
SAMUEL SEWALL		
PENN TOWNSEND		
JOHN APPLETON		
SAMUEL PATRIDGE		
JOHN HIGGINSON		
EDWARD BROMFIELD		
THOMAS NOYES		
WILLIAM TAILER		

NATHANIEL NORDEN	}	ESQRS.
BENJAMIN LYNDE		
ADDINGTON DAVENPORT		
THOMAS HUTCHINSON		
SAMUEL BROWN		
THOMAS FITCH		
JOHN CLARK		
JONATHAN BELCHER		
JONATHAN DOWSE		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

NATHANIEL BYFIELD	}	ESQRS.
ISAAC WINSLOW		

JOHN CUSHING	}	ESQRS.
JOHN OTIS		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Main;

JOHN WHEELWRIGHT, ADAM WINTHROP & JOSEPH HAMMOND, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

ELISHA COOK, ESQ.

¹ See Legislative Records of the Council, x., 224-226.

For the Province, at large:—

NATHANIEL PAYNE & EDMUND QUINCY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 28, 1718 to April 11, 1719.

MR. JOHN BURRIL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . Edward Hutchinson, Esq.,
 Habijah Savage, Esq.,
 Capt. Joseph Wadsworth,
 Mr. Isaiah Tay.
Roxbury, . . . William Dudley, Esq.
Hingham, . . . Samuel Thaxter, Esq.
Brantrey, . . . Capt. John Mills.
Dedham, . . . Mr. John Metcalf.
Medfield, . . . Mr. John Adams.
Weymouth, . . . Capt. John Hunt.
Milton, . . . Mr. Ephraim Tucker.
Wrentham, . . . Mr. Robert Ware.
Mendon, . . . Josiah Chapin, Esq.
Brooklyn, . . . Capt. Thomas Gardner.

COUNTY OF ESSEX.

Salem, . . . Mr. Timothy Lindal,
 Capt. Peter Osgood.
Ipswich, . . . John Denison, Esq.,
 Capt. Matthew Whipple.
Newbury, . . . Lieut. Col. Henry Somersby,
 Capt. Richard Kent.
Marblehead, . . . Capt. John Cawley.
Andover, . . . Mr. John Osgood.
Beverly, . . . Mr. Josiah Herrick.
Lynn, . . . John Burril, Esq., Speaker.
Rowley, . . . Mr. Joseph Jewit.
Salisbury, . . . Capt. John Wadleigh.
Haverhill, . . . Mr. John Saunders.
Glocester, . . . Capt. Nathaniel Coit.
Topsfield, . . . Mr. Samuel Howlet.
Boxford, . . . Mr. Thomas Pearly.
Wenham, . . . Mr. William Rogers.
Amesbury, . . . Mr. Thomas Hoit.
Bradford, . . . Mr. Richard Kemball.

COUNTY OF MIDDLESEX.

Cambridge, . . . Jonathan Remington, Esq.
Charlestown, . . . Jonathan Dowse, Esq.,
 Charles Chambers, Esq.
Watertown, . . . Mr. Samuel Sternes.
Newton, . . . Mr. John Ward.
Concord, . . . Mr. William Wilson.

COUNTY OF MIDDLESEX—*Concluded.*

Wobourn, . . . Mr. John Pierce.
Reading, . . . Mr. Timothy Wyley.
Sudbury, . . . Mr. Edmund Rice.
Marlboro', . . . Thomas How, Esq.
Malden, . . . Mr. Phineas Upham.
Chelmsford, . . . Mr. Moses Baron.
Billerica, . . . Mr. John Sternes.
Sherburn, . . . Mr. Eleazer Holbrook.
Groton, . . . Mr. John Shipley.
Lancaster, . . . Mr. John Houghton.
Framingham, . . . Joseph Buckminster, Esq.
Medford, . . . Mr. Thomas Tafts.
Lexington, . . . Mr. Joseph Bowman.
Weston, . . . Francis Fulham, Esq.

COUNTY OF HAMPSHIRE.

Springfield, . . . Luke Hitchcock, Esq.
North Hampton, . . . John Stoddard, Esq.
Hadly, . . . Samuel Porter, Esq.
Hatfield, . . . Mr. John Dickenson.
Suffield, . . . Capt. John Austin.
Westfield, . . . Mr. Joseph Mandsley.
Enfield, . . . Capt. Samuel Terry.
Deerfield, . . . Mr. Thomas Wells.

COUNTY OF PLIMOUTH.

Plimouth, . . . Nathaniel Thomas, Jr., Esq.
Scituate, . . . Mr. Thomas Turner.
Bridgewater, . . . Mr. Richard Davenport.
Marshfield, . . . Isaac Little, Esq.
Duxbury, . . . Mr. James Patridge.
Rochester, . . . Mr. John Hammond.
Pembroke, . . . Mr. Joseph Stockbridge.
Plimpton, . . . Mr. William Shurtleif.

COUNTY OF BARNSTABLE.

Barnstable, . . . Shubal Gorham, Esq.
Eastham, . . . Mr. John Payne.
Sandwich, . . . Mr. Eldad Tupper.
Yarmouth, . . . Mr. Seth Taylour.
Harwick, . . . Mr. Chillingworth Foster.
Truroe, . . . Mr. Thomas Mulford.

COUNTY OF BRISTOL.

Bristol, . . . Mr. William Throop.
Taunton, . . . Mr. Robert Crosman.
Dartmouth, . . . Capt. Nathaniel Soul.
Rehoboth, . . . Daniel Smith, Esq.
Little Compton, Thomas Church, Esq.
Swansey, . . . John Rogers, Esq.
Tiverton, . . . Mr. Gersham Woodel.
Attleboro', . . . Mr. Daniel Freeman.
Dighton, . . . Mr. Ephraim Atwood.
Norton, . . . Mr. John Hodges.
Barrington, . . . Mr. James Adams.

COUNTY OF YORK.

York, Lewis Bane, Esq.
Kittery, Joseph Hamond, Esq.
Wells, Mr. Joseph Hill.
Berwick, Mr. James Grant.

DUKES COUNTY.

Edgar Town, . . . Mr. John Norton.
Chilmark, . . . } Payne Mayhew, Esq.
Tisbury, . . . }

NANTUCKET.

Mr. Joseph Coffin.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-EIGHTH DAY OF MAY, A.D. 1718.

CHAPTER 1.

RESOLVE ALLOWING £10 TOWARDS THE MAINTENANCE OF THE MINISTRY AT WINTER HARBOUR.

A PETITION of the Inhabitants of Winter Harbour, Shewing that whereas it has pleas'd this Honble Court to favour them so far as to allow them Forty Pounds for the Support of a Minister for the Benefit of the Garrison & the few Inhabitants there for the last Year, And whereas there is Ten Pounds less allowed this Year, the Charge of supporting a Minister will ly heavy upon them, they being but few in Number, And therefore Praying that the Allowance of Forty Pounds may be continued this Year

Legislative
Records of the
Council, x.,
232.

House Jour-
nal, p. 4.

Resolved that the Sum of Ten Pounds more be allowed & paid out of the publick Treasury (So as to make the whole Forty Pounds) towards the Maintenance of the Ministry at Winter Harbour the Year Currant Ending the first of October last. [*Passed May 31.*]

CHAPTER 2.

VOTE ALLOWING C^O TREAS^R ACCO^T OF PLIMOUTH.

THE ACCOMPT of John Dyer Treasurer of the County of Plimouth from Dec^r 1716, to March 1717, & Amounting to £208. 2. 1. \
Read & Accepted. [*Passed June 3.*]

Legislative
Records of the
Council, x.,
234.

House Jour-
nal, p. 5.

CHAPTER 3.

ORD^R ON YORK PET^N AS SHIRE TOWN.

WHEREAS the Law of this Province has declared the Town of York to be the Shire Town of the County of York;

Ordered that the Registry of Deeds be kept, & the Superior Court of Judicature &^c held henceforward in the said Town of York. [*Passed June 4.*]

Legislative
Records of the
Council, x.,
236.

House Jour-
nal, p. 6.

CHAPTER 4.

COMTEES REPORT AB^T BURNING BILLS ACCEPTED & THE TREA^R DISCHARGED.

Legislative
Records of the
Council, x.,
238.

House Jour-
nal, p. 7.

IN OBEDIENCE to An Order of the Great & General Court at their present Session May 28. 1718, appointing us the Subscribers a Committee to take an Accompt of torn & defaced Bills of publick Credit &c We have accordingly received of M^r Treasurer Allen the several Bills of the Denominations in the Accompt on the other side, Amounting to the Sum of Ten Thousand nine Hundred forty Pounds & ten pence half penny at their express Value, All of which Bills, We have consum'd, Whereof £7,536. 9. 9½ Part of the above Sum was deliver'd us upon Accompt of the Province, As being receiv'd for Taxes Impost & Excise, Which with the 5 *p* Cent Advance as they were taken into the Treasury, Amounts to the Sum of £7,913. 6. 3½. Also £3,403. 11. 1 Neet Bills rec'd of the Trustees mention'd on the other side, Making in the whole Eleven Thousand three Hundred & sixteen Pounds seventeen shillings & four Pence, As Witness our Hands the twenty eighth Day of May 1718

JOHN STODDARD
JOHN DENISON
SAM^{LL} PORTER
THOMAS TILESTONE
HABIJAH SAVAGE
CHARLES CHAMBERS

HENRY SOMERSBY
WILLIAM DUDLEY
PENN TOWNSEND
JN^O APPLETON
JN^O WHEELWRIGHT

Resolved that the above Report be Accepted & that the Treasurer be discharg'd accordingly. [*Passed June 5.*]

CHAPTER 5.

RESOLVE ALLOWING £27. 15 IN DISCHARGE OF M^R SECR^Y WOODWARDS FIVE ACCO^{TS}.

Legislative
Records of the
Council, x.,
245.

House Jour-
nal, p. 9.

FIVE ACCOMPTS of the late M^r Secretary Woodward laid before the Council, & by them offer'd to the Consideration of the General Assembly

[Read and]

Resolved that the Sum of Twenty seven Pounds fifteen shillings be allow'd & paid out of the publick Treasury to the late M^r Secretary Woodward in full of the s^d five Accompts. [*Passed June 10.*]

CHAPTER 6.

ORDER ON RICH^P & HEPHZIBAH COOMES'S PETITION, AS TO REDEMPTION OF LAND FROM MORTGAGE.

Legislative
Records of the
Council, x.,
242, 246.

Legislative
Records of the
Council, x.,
242. House
Journal, p. 10.

A PETITION of Richard & Hephzibah Coomes Shewing that they prefer'd their Petition to this Hon^{ble} Court for their just Right of Redemption of their Fathers Inheritance which was mortgaged for a small Sum of Money & Possession soon after obtain'd by the Mortgagee in the Non Age of the said Hephzibah, & by Reason of the Length of Time since the Mortgagee was possess'd thereof, the Petitioners were by

Law excluded from their said Right; And that in Answer to the said Petition, the said Court after a full Hearing, made an Order to empower the Hon^{ble} Judges of the Superior Court to Chancer the said Mortgage, Pursuant to which Order of the General Court, the Petitioners filed a Bill in the Inferior Court for the Chancering the said Mortgage, And when an Audit pass'd thereon the Court after a full Hearing did Enter up Judgment for the Right of the Petitioners; from which Judgment the Defendant appeal'd to the Superior Court, Who Question'd whether the Judges might or ought to proceed upon such Order of the General Court unless it had the Words & Form of a Law, & for want of such Form declared it insufficient, And therefore Praying that the before recited Order may be Enacted & made into a Law sufficient for the said Judges to proceed on & Chancer the Case as it now lies, & that the Petitioners may be freed from Costs of Suits.

Ante, p. 442,
chap. 141.

Read &

Ordered that the Petitioners have Leave to bring in a Bill agreeable to the Vote of the Court on Decemb^r 16. 1715 on the Petitioners former Petition. [*Passed June 10.*]

CHAPTER 7.

VOTE ON THOMAS AYRES'S PETITION, CONFIRMING TITLE TO LAND.

Resolved that the several Grants of Lands made to the Children & Posterity of John Ayres formerly of Brookfield alias Quoboag Dec'd by Coll Patridge & others the Committee for Brookfield be confirm'd to the several & respective Grantees as therein named, their Heirs & Assigns in full of all Claims & Demands whatsoever in Right of John Ayres Dec'd late Father of the Petitioners (as they propose) And that those & those only who have or shall bring forward a Settlement on their respective Lotts within the Space of three Years next coming shall be entituled to after Divisions of Land in the said Town, And the Forfieture thereof declared by the said Committee is hereby made null & void. [*Passed June 10.*]

Legislative
Records of the
Council, x.,
246.

Legislative
Records of the
Council, x.,
167, 240.
House Jour-
nal, p. 10.

CHAPTER 8.

ORDER ALLOWING C^O TREAS^R OF ESSEX ACCO^T.

AN ACCOMPT of John Appleton Esq^r Treasurer of the County of Essex from Dec^r 1713 to March 1717 Amounting to £203.

Read &

Ordered that this Accompt be allowed. [*Passed June 11.*]

Legislative
Records of the
Council, x.,
247.

House Jour-
nal, p. 11.

CHAPTER 9.

ORD^R ON COHASSET PET^N ABOUT THE METHOD OF CALLING THE FIRST PARISH MEETING.

A PETITION of several of the Inhabitants of Cohasset or Little Hingham¹ & the Order thereon enter'd Feb. 10. 1717, reviv'd. [*Passed June 12.*]

Legislative
Records of the
Council, x.,
248.

Legislative
Records of the
Council, x.,
237. House
Journal, p. 7.

¹ Praying the "Court to determine for them the Way in which their first Precinct Meeting is to be called." — Legislative Records of the Council, x., 215.

CHAPTER 10.

RESOLVE CONFIRMING TO SHERBURN A PLAT OF 3,000 ACRES OF LAND.

Legislative
Records of the
Council, x.,
248.

House Jour-
nal, p. 8.
Ante, p. 569,
chap. 129.

A PLAT of Three Thousand Acres of Land Ordered by this Court (as Enter'd Nov. 20. 1717) to be taken up & presented at this Session for their Allowance Was accordingly offer'd by the Town of Sherburn

[Read and]

Resolved that the Tract of Land describ'd in this Plat be granted & confirmed to the Town of Sherburn, Provided it contain no more than the quantity of Three Thousand Acres & entrench on no former Grant.
[*Passed June 12.*

CHAPTER 11.

RESOLVE CONSTRUING THE ACT ABOUT POSTHUMOUS CHILDREN.

Legislative
Records of the
Council, x.,
249.

House Jour-
nal, p. 13.
Province
Laws, l., 454.

A QUESTION being moved upon the second Section or Paragraph in the Act providing for Posthumous Children & such as have no Legacy given them by Will, Whether the said Act doth extend to the Grand Child in Case of the Death of the Father or Mother as to the Child himself if living?

Resolved in the Affirmative & that the Law is so to be understood & practiced; Any Usage or Custom to the contrary notwithstanding.
[*Passed June 13.*

CHAPTER 12.

ORDER ON THO^s HARVEY & NICH^o MOREYS PETITION PRAYING FOR RELIEF FROM A JUDGMENT.

Legislative
Records of the
Council, x.,
247, 251.

House Jour-
nal, p. 14.

A PETITION of Thomas Harvey & Nicholas Moorey Shewing that at the Inferior Court at Bristol in January 1716, One James Paul of Dighton in the County of Bristol had a Plea of Demur on Title of Land against John Godfrey, who summon'd in the Petitioner Moorey to vouch him in the Suit, who then & there pray'd a Continuance of the Plea in Order to summon in the other Petitioner Harvey of whom the said Moorey bought the Land, & who was the Original Purchaser, Which the Court accordingly granted, And said Harvey appear'd in Person at the Inferior Court in April last; & became Defendant in said Suit, And the Judgment being for s^d Godfrey the first Plaintiff, The said Harvey appeal'd to the Superior Court held at Bristol in September last, & became bound as the Law directs, & also applied himself to Council Learned in the Law, filed his Reasons of Appeal in the Clerks Office; Yet so it was that the Clerk of the Inferior Court mistook in Entering his Appeal, & Recognizance, Entering all on the Petitioner Moorey instead of the other Petitioner Harvey, By means of which the Appeal was quash'd at the Superior Court, And on Complaint Enter'd by Godfrey the former Judgment was affirmed, & the Petitioner Thomas Harvey rendered without Remedy in the Law, And therefore Praying that the s^d Harvey may be granted his Appeal at the next Superior Court at Bristol, according to the Reasons of Appeal, Notwithstanding the Mistake in the Clerks Entry, And that the Peti-

tioner Moorey may be releiv'd in the Money [given]¹ & granted against him by said Judgment

Read &

Ordered that the Prayer of the Petition as to the Appeal be granted & that the Petitioners bring in a Bill accordingly. [*Passed June 14.*]

CHAPTER 13.

ORDER ON THE PETITION OF SAMUEL FISH, GRANTING HIM LEAVE TO FILE REASONS OF APPEAL FROM A SENTENCE.

A PETITION of Samuel Fish of Falmouth in the County of Barnstable, Shewing that at the Court of General Sessions of the Peace held for Barnstable aforesaid on the first Tuesday of July 1717, The Petitioner was presented by the Grand Jury for the said County for Stealing or theivishly taking away from one John Dillingham Jun^r of Sandwich two Barrels of Turpentine or near two Barrels, And that thereupon he took his Tryal upon the Plea of Not-Guilty, After which the Court of Sessions pass'd a Judgment that the said Dillingham should have his Turpentine again & that the Petitioner should pay to the said John Dillingham Four Pounds in Money & to pay Charge of Prosecution, And that he pay a Fine to the King of Forty shillings &^c From which Sentence the Petitioner appeal'd to the Court of Assize & General Goal Delivery to be holden at Plimouth for the County of Plimouth Barnstable &^c on the last Tuesday of March last & then became bound to prosecute his Appeal with Effect & to be of good Behaviour as the Law directs (Altho the Petitioner has sufficient Evidence to prove himself entirely innocent of the Fact wherewith he has been charged) And that accordingly the Petitioner pursuant to the Directions of the Law did file his Reasons of Appeal in the Clerks Office of the said Superiour Court or Court of Assize seven days before the sitting of the s^d Court, In order to have his Matter fairly heard before the Judges of the s^d Court, But it happening that a Mistake was made in the Title of the Cause in the said Reasons of Appeal, Wherein the Petitioner was named Appellant & the said John Dillingham the Prosecutor was named as Appellee instead of his Majesty King George, The said Superior Court of Judicature Court of Assize & General Goal Delivery did not think fit to suffer the Petitioner to have the Benefit of his Appeal but did Confirm the former Sentence of the said Inferior Court or Court of General Sessions of the Peace, as aforesaid, And therefore humbly praying this Court to enact with a Non Obstante to any other Act that he may have Liberty to file new Reasons of Appeal in the proper Office & go on with his said Appeal

Read &

Ordered that the Prayer of the Petition be so far granted that the Petitioner have Leave to bring in a Bill to enable him to file Reasons of Appeal anew & prosecute his Appeal to the Superiour Court of Judicature Court of Assize & General Goal Delivery next to be holden at Plimouth for the Counties of Plimouth Barnstable &^c. [*Passed June 14.*]

Legislative
Records of the
Council, x.,
228, 251.

House Jour.
nal, p. 14.

¹ Inserted from the State Library copy, Legislative Records of the Council, x., 275.

CHAPTER 14.

ORDER ALLOWING C^O TREAS^R OF YORKS ACCO^TS.Legislative
Records of the
Council, x.,
252.House Jour-
nal, p. 19.

AN ACCOMPT of Joseph Hammond Esq^r Treasurer of the County of York, beginning April 3^d 1717, & ending April 1. 1718, Amounting to £73. 12. 2.

Read &

Order'd that the above Accompt be allowed. [*Passed June 14.*]

CHAPTER 15.

ORDER ALLOWING C^O TREAS^R OF SUFFOLK HIS ACCO^TS.Legislative
Records of the
Council, x.,
253.House Jour-
nal, p. 14.

AN ACCOMPT of Samuel Checkly Esq^r Treasurer of the County of Suffolk, Beginning April 1716, & Ending April 1718, Amounting to the Sum of Three Hundred Twenty nine Pounds seventeen shillings & one Penny

Read &

Ordered that this Accompt be allowed. [*Passed June 16.*]

CHAPTER 16.

RESOLVE ALLOWING £10 TO THOMAS BAKER.

Legislative
Records of the
Council, x.,
250, 253.House Jour-
nal, p. 15.

A PETITION of Thomas Baker of Brookfield Setting forth that he being a Soldier under the Command of Cpt Wells was taken Prisoner at Deerfield by the French & Indians in Feb^y 1703, That he lost his Arms & a good Suit of Cloaths & was carried to Canada, That the Summer following the Chevalier Boncour went from Canada with a great Army designing to spoil & destroy some of the Towns on Connecticut River, Which the Petitioner understanding, in Order to serve his Country, by Giving seasonable Intelligence of the said Intended Expedition, made his Escape from Mont Real to the utmost Hazard of his Life, & was unfortunately taken, & Preparation was made by the Salvages to burn him alive, but he very happily got out of their hands & ran to the House of one Lebar, who ransom'd him by advancing five Pounds which the Petitioner promised to repay him, After which the Petitioner was by Order of the Governour of Canada put into Irons, & made a close Prisoner for four Months, After which the Petitioner being made a Prisoner at large escaped a third Time, & then got safe to his own Country, & therefore Praying that this Court would make him Allowance for his Loss of Time, the Difficulties & Hardships he pass'd thro' in his Getting home, & the Money he has been forc'd to pay for his first Ransom out of the Hands of y^e Indians

Read &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Cpt Thomas Baker the Petitioner in full of all the Allegations mentioned in this Petition. [*Passed June 16.*]

CHAPTER 17.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE ON THE CONTROVERSY BETWEEN INHABITANTS OF BARNSTABLE AND THE INDIANS, AS TO BOUNDARIES.

WHEREAS in Answer to the Petition of Cpt Joseph Crocker, Barnabas Fuller Josiah Crocker & Ebenezer Crocker all of Barnstable prefer'd to his Excellency the Governour, the Hon^{ble} Council & House of Representatives in General Court assembled in the Month of February last past at Boston, We the Subscribers were appointed by the said Court to view the Place in Controversy between the Petitioners & South Sea Indians relating to the Bounds of their Lands & settle the Bounds between them, We therefore having given Notice to the Petitioners & Indians to meet us on the Spot have accordingly met there on the twenty fifth of March 1717, And after Hearing the Allegations of both Parties, And having Read & Considered the Deeds & Records relating to such Boundaries & got the best Information & Light we could get therein, Have accordingly fixed & settled the Boundaries between their Lands as follows; Viz, Beginning at a Stake with Stones about it standing on the Easterly Side of Quatnet River by the Cart way that leads over the said River, & thence running up by said Cart way to another Stake with Stones about it, & thence running on a streight Line to the South Easterly Corner of the old Ditch to a white Oak sapling mark'd on two Sides & thence as that Ditch runs to the most Northerly Corner of it, & thence to run on a streight Line to a Stake standing on a Hill at some Distance above Barnabas Fuller Barn; Only upon this Settlement of these Boundaries, That the small parcell of Land be it ten Acres, be it more or less, which was by said Indians sold to Josiah Crocker. shall be & remain to the English that now possess it & unto their Heirs & Assigns for Ever: Unto which we have now set our Hands this twenty fifth of March aforesaid

Sign'd

SAM^{LL} STURGES.
MELET. BORNE, ✓
SAM^{LL} JENNINGS

Read &

Resolved that this Report be so far Accepted at¹ it settles the Boundaries between the Lands of Joseph Crocker &^e and the Lands of the Indians. [*Passed June 16.*]

CHAPTER 18.

VOTE ALLOWING MR. TREASURER ALLEN'S ACCOUNTS.

THE ACCOMPTS of M^r Jeremiah Allen Treasurer & Receiver Gen^l of this Province beginning thirty first Day of May 1717, & ending the twenty eighth of May 1718, Pass'd upon & allowed & the Treasurer accordingly discharg'd. [*Passed June 17.*]

Legislative
Records of the
Council, x.,
255.

Legislative
Records of the
Council, x.,
248, House
Journal, p. 11.

¹ *Sic.*

CHAPTER 19.

RESOLVE ALLOWING £3 TO SAMUEL BILL FOR DAMAGE DONE TO HIS LAND.

Legislative
Records of the
Council, x.,
255.

House Jour-
nal, p. 16.

A PETITION of Samuel Bill of Boston, Shewing that last Year some Time before the Pest House was finished, About Eighty Persons were put a shore on Spectacle Island belonging to the Petitioner, who took Possession of his House & Barn to preserve them from the Injuries of the Weather, And being destitute of Fire Wood, they cut down & destroy'd eight of the Petitioners Trees, & made great Spoil on his Grass by their passing & Trampling thereon, And that there have been seven several Companies there this Year, That the Petitioner has oftentimes in his own Boat carried down Supplies for them without demanding any thing for the same, He therefore humbly prays that some reasonable Allowance may be made him for the Damage aforesaid, and that for the future he may be secured from the breaking in of any Company of People Ordered to the Pest House, And that they may be confined to their Limits untill they have y^e Petitioners Leave to walk on his Land to air themselves, Which he is very willing to allow them upon their orderly Behaviour

Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to Samuel Bill the Petitioner in full of all Damages he mentions in his Petition. [*Passed June 17.*]

CHAPTER 20.

ORDER JOINING SAMUEL PATRIDGE TO THE COM^{TEE} FOR RUNNING THE LINE BETWEEN SPRINGFIELD & ENFIELD.

Legislative
Records of the
Council, x.,
257.

House Jour-
nal, p. 18.
Ante, p. 538,
chap. 49.

Ordered that Samuel Patridge Esq^r be joined with John Chandler Esq^r & Samuel Thaxter¹ Esq^r (in the Room of Coll. Thaxter) who were a Committee impowered & directed by an Order of the Court at their Sessions in May 1717, to run the Divisional Line between Springfield & Enfield, And that the said Committee do run the said Line between the said Towns, as soon as may conveniently be done, & make Report of their Doings therein at their Sessions the next Autumn. [*Passed June 18.*]

CHAPTER 21.

VOTE ALLOWING C^O TREA^S OF BARNSTABLE ACCO^T.

Legislative
Records of the
Council, x.,
258.

House Jour-
nal, p. 18.

AN ACCOMPT of Ebenezer Lewis Treasurer of the County of Barnstable, Ending April 18. Amounting to £61. 14.

Read &

Ordered that this Accompt be allowed. [*Passed June 18.*]

¹ "Samuel Porter" in State Library copy, Legislative Records of the Council, x., 236.

CHAPTER 22.

RESOLVE ALLOWING £20 TO JOSIAH TORREY FOR THE WORK OF THE
MINISTRY IN TISBURY.

A PETITION of Josiah Torrey Minister of the Town of Tisbury in Martha's Vineyard, Shewing that the People of the said Town thro' Poverty & the smallness of their Number are able to do but little for his Maintenance, that his Removal would endanger the breaking up of the Church there, And that the Town are about building a Meeting House & therefore Praying a Consideration from this Hon^{ble} Court

Legislative
Records of the
Council, x.,
258.

House Jour-
nal, p. 15.

Read &

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to the Rev^d M^r Josiah Torrey to assist & encourage his Continuance in the Work of the Ministry at the Town of Tisbury. [*Passed June 18.*]

CHAPTER 23.

ORDER IMPOWERING THE ASSESSORS OF OXFORD TO LEVY A TAX ON
LANDS OF NON-RESIDENTS, AT A CERTAIN RATE, &c.

A PETITION of John Town Select Man of the Town of Oxford in Behalf of the said Town, Shewing that the said Town consists but of thirty Families, that therefore the Charge of Supporting a Minister in the said Place lies heavy, that they have little or no Assistance from those who have large Tracts of Land in the said Place, but do not reside among them, & that they are this Year about to Erect a Meeting House, And therefore Praying that this Court would order that the Proprietors of unimprov'd Lands in the said Town may give them Assistance in the Support of their Minister

Legislative
Records of the
Council, x.,
258.

House Jour-
nal, p. 17.

Read &

Ordered that the Select Men or Assessors of the Town of Oxford be impowered to levy a Tax upon the Lands of the Non-Resident Proprietors in the said Town after the Rate of Twenty Shillings per Annum on each Thousand Acres during the whole Term of five Years next after this present Session, that so the Inhabitants of the said Town may be enabled to build a Meeting House & settle a Minister among them, And the Money so arising shall be apply'd accordingly & no otherwise. [*Passed June 18.*]

CHAPTER 24.

ORDER MAKING ALLOWANCE FOR VICTUALLING THE GARRISON AT
CASTLE WILLIAM.

A PETITION of Zachariah Tuthill Victualler of his Majesties Garrison at Castle William, Shewing that this Hon^{ble} Court did upon the Rise of Provisions in June 1715, Order that he should be allow'd four Shillings & ten pence half penny p^r Man¹ per Week for the Victualing the said Garrison for one Year & in June next following did reduce it to four

Legislative
Records of the
Council, x.,
258.

House Jour-
nal, p. 18.
Ante, p. 397,

¹ Written "More" in Secretary's copy, Legislative Records of the Council, x., 258.

chap. 29; p. 482, shillings & six pence; Since which Time the Petitioner has been at four shillings & eight pence, & for the last Year at four shillings & eleven pence Charge per Week in Victualing the said Garrison, So that he hath advanced for the last two Years more than what he hath been allowed. the Sum of Fifty eight Pounds ten shillings, Which he humbly prays he may be reimburs'd & allowed five shillings per Week *per* Man for the Year now coming

Read &

Ordered that there be allowed to the Petitioner four shillings & eleven pence half penny per Man per Week for the last half Year ending the 24th of June Currant, & the Sum of Five Shillings per Man per Week for the Year ensuing for his Victualing the Garrison at Castle William. [*Passed June 18.*]

CHAPTER 25.

RESOLVE ALLOWING £30 ON BARTH^o GREENS ACCO^t OF PRINTING &c.

Legislative
Records of the
Council, x.,
259.

House Jour-
nal, p. 19.

AN ACCOMPT of Bartholemew Green printer of Printing done for the Government in the Year 1717, Amounting per Agreement to the Sum of Thirty Pounds

[Read and]

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to Bartholemew Green the Accomptant. [*Passed June 19.*]

CHAPTER 26.

ORDER FOR LAYING OUT LAND TO JOSEPH BUCKMINSTER AT WHITE-HALL.

Legislative
Records of the
Council, x.,
259.

House Jour-
nal, p. 19.
Ante, p. 366,
chap. 62; p. 567,
chap. 123.

A PETITION of Joseph Buckminster, Shewing that whereas in the Year 1643, A Grant was made to Thomas Mahew of Three Hundred Acres of Land, which was not laid out in his Life Time, & has since his Death been purchased by the Petitioner, & the said Grant has been laid out to him in a Place called Whitehall Farm, Of which he pray'd a Confirmation from this Court, Which they Granted at the Sessions in May 1714, Provided the Plat exhibited exceeded not the Quantity of the first Grant, After which it was represented to this Court that the Land laid out to the Petitioner did exceed the just Quantity & incroach'd upon the Town of Hopkinton, On which the Court appointed a Committee to measure the said Lands Wh^h Committee did Report to the Court at their Session in October 1717, That the Land was about Five Hundred & Sixty three Acres, Upon which the Court Resolved the said Grant as delineated in the said Plat to be null & void, By which the Petitioner is much aggrieved, for his Charge has been very great in Purchasing the said Land of the Indians as well as the English, & in Erecting Buildings thereon, He therefore prays this Court will allow him his Original Grant of Three Hundred Acres in the same Figure of his Plat & appoint a sworn Surveyour to measure the said Land in Whitehall Farm.

In the House of Represent^{ves} Read & Committed

The Petitioners having given Satisfaction to this House as to the Errors committed in the Plat formerly taken of Whitehall

Ordered that Samuel Thaxter Esq^r be appointed a Surveyour (with Chain Men under Oath) to lay out to the Petitioner & at his Charge

Three Hundred Acres of Land at the Place called Whitehall in Hopkinton, as near as may be in the Form of the Plat taken by M^r Joseph Sherman, And return the Plat he shall protract to this Court for Allowance & Approbation & Confirmation

In Council; Read & Concur'd. [*Passed June 19.*]

CHAPTER 27.

ORDER ADDING LEWIS BANE AND JOSEPH HILL TO THE COMMITTEE ON THE EASTERN SETTLEMENTS.

A MEMORIAL of Samuel Moodey & Sundry others Proprietors & Inhabitants of the Town of Falmouth in Casco Bay, Shewing that in Answer to a Petition of the Proprietors of the said Town presented to the General Assembly at their Session in May 1717, Liberty was granted them to resettle the said Town, And in Order thereto they were to apply themselves to a Committee appointed by the Court in the Year 1715 to regulate the Settlement of the Eastern Frontiers; for Direction in the manner of their Settlement, That the Memorialists have fully complied with the Directions, and that notwithstanding their repeated Applications to the said Committee, the Matter is still delayed, which is of ill Tendency, That the Petitioners [have been informed]¹ that a small Number of the ancient Proprietors of North Yarmouth (having been encouraged by some few of the Proprietors of Falmouth bordering upon them) have petitioned the Court to settle a Town at or near a Place called Broad Cove, & so to extend to Pensumscot River, And have already taken Possession & laid out Lotts without the Approbation of the Government, by a Committee chosen among themselves, that have no Right or Interest in said Towns, That the greatest Part of the aboves^d Tract of Land falls within the ancient Bounds of the Town of Falmouth, & contains at least an Eighth Part of the said [Town]² together with a commodious Stream for Mills the ancient Privilege of the said Town, And therefore Praying that some proper Method may be taken for their regular Establishment as to their ancient Bounds as well as other Things, either by a Committee fully empowered for that End or by Liberty granted to y^e Proprietors to act as a Town

Read &

Ordered that Lewis Bane Esq^r & Cap^t Joseph Hill be added to the Committee formerly Appointed to direct and Regulate the Eastern Settlements, any three of said Committee (if no more be present) to have power to Act in the said Affair. [*Passed June 19.*]

Legislative
Records of the
Council, x.,
260. Mass.
Archives, vi.,
474.

Mass.
Archives, vi.,
473. House
Journal, p. 18.
Ante, p. 531,
chap. 24.

CHAPTER 28.

RESOLVE ALLOWING £20 TO CYPRIAN SOUTHACK FOR REDEEMING CAPTIVES FROM THE INDIANS.

A PETITION of Cpt Cyprian Southack Shewing that he had the Command of the Province Galley. (the Guard Ship of this Governm^t) for many Years, That on a Cruising Voyage on the Coast of Nova-Scotia

Legislative
Records of the
Council, x.,
262.

¹ Inserted from the State Library copy, Legislative Records of the Council, x., 289.

² *Ibid.*, 290.

House Jour-
nal, p. 15.

he was obliged to go into the Harbour of Le Have, that the Indians there under the Pretence of Treating with him under a Flag of Truce made Prisoners of two of his Men, whose Ransom cost the Petitioner the Sum of Twenty Pounds three shillings, That the Petitioner went as a Commissioner from these Provinces to Quebec to treat with the Governour Vandreil, That on the fifteenth of April 1715. He sail'd with three Vessells whereof he was sole Owner to the Coast of Nova Scotia on a Fishing Voyage & willing to keep the Boundaries from the French Fishing, & having a Warrant from Governour Dudley to seize on such Vessells as he should find trading with Cape Breton, & the French on that Coast, In Execution of which & in preventing the French Encroachments, he sustain'd the Loss of Four Hundred & Fifty Pounds, That the Petitioner by Order of the Governm^t went to Cape Cod to save the Goods of y^e Pirate Wreck, & deliver what Goods he had saved to the Governments Order, that he order'd his Sloop to come to his Assistance, Wh^h Sloop was taken by the Pirates & rifled of the Value of Eighty Pounds, And therefore Praying. the Consideration of this Hon^{ble} Court of his above Losses in the publick Service

Read &

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Cpt Cyprian Southack in full for his Redeeming two English Captives out of the Hands of the Indians, And that no Allowance be made upon any other Article of his Petition. [*Passed June 20.*]

CHAPTER 29.

ORDER ON RICH^d & JAMES CARRS PETITION IN REGARD TO AN APPEAL FROM A JUDGMENT.

Legislative
Records of the
Council, x.,
265.

Province
Laws, vi., 102.
House Jour-
nal, p. 22.

A PETITION of Richard & James Carr of Salisbury in the County of Essex Shewing that they commenced an Action of Trespass on the Case against Edward Sergeant of Newbury in the said County for Carrying and Passing Men over the Ferry belonging to the Petitioners, at the Inferior Court held at Newbury the last Tuesday of September 1717, At which Court the Judges gave Judgment that the Action was bar'd, Upon which the Petitioners appeal'd to the next Superior Court to be holden at Salem within & for the County of Essex on the first Tuesday of November 1717, But the Petitioner Richard being Attorney to his Brother enter'd into Bonds in his own Name, Through which Mistake the Appeal was disallowed, & the Petitioners thereby left without Remedy in the Law, & utterly precluded any Advantages of Recovering Damages of the said Sergeant for many Years Trespass, And Praying this Hon^{ble} Court to enable them to bring forward their Appeal to the next Superiour Court to be held at Salem for the County of Essex aforesaid on the second Tuesday of November next

In the House of Represent^{ves} Read &

Ordered that the Prayer of the Petition be granted, And that the Petitioner bring in a Bill accordingly

In Council; Read & Concur'd with the Amendment, viz the Judgm already given against him for Costs not to be reversed: Which was agreed to by the Representatives. [*Passed June 21.*]

CHAPTER 30.

ORDER ON THE PETITION OF JOHN AUSTIN OF SUFFIELD, CONSTRUING
A RESOLVE OF THE GENERAL COURT, NOVEMBER, 1717.

A PETITION of John Austin in Behalf of many of the Proprietors of the Town of Suffield, Shewing that the Justices of the Peace of the County of Hampshire did make Report to the General Assembly at their Sessions in October 1717, of their Proceedings at a Special Sessions held at Suffield in January 1715, by Order of the General Court to hear & determine the Differences in said Town relating to Grants of Lands, Which Report of said Justices the Petitioners do suppose to be Accepted & Allowed by the General Court at their Sessions of October 1717, That notwithstanding the said Report & the Allowance thereof by the Court, The Party that call themselves the Town do still hold those Grants of Land which have been the Foundation of their Contention, And humbly Praying this Court would Resolve Whether the Order of the Court on the said Report is to be construed as a Confirmation of every Part or Paragraph or not.

Legislative
Records of the
Council, x.,
266.

Legislative
Records of the
Council, x.,
194. House
Journal, p. 20.
Ante, p. 415,
chap. 51.

Read &

Ordered that the Resolve of the General Court made at their Session in November 1717, relating to the Determination of the special Sessions held at Suffield Janu 10. 1715, be construed in Confirmation of every Part of said Sessions Determination & Explanation thereof, As Reported to the General Assembly October 27. 1717,¹ by the Justices of y^e s^d Sessions. [*Passed June 24.*]

CHAPTER 31.

RESOLVE ALLOWING 25/ TO EACH OF ELEVEN PERSONS FOR SERVICES.

A PETITION of Lewis Bane in Behalf of Sundry Persons impressed by Order of this Government to go in Quest of the Pirates (who then infested this Coast) Who attended that Service fifteen Days as by a Certificate thereof exhibited may appear, Humbly Praying that they may have an Allowance for the said Service

Legislative
Records of the
Council, x.,
266.

House Jour-
nal, pp. 23, 24.

Read &

Resolved that there be allowed & paid out of the publick Treasury twenty five shillings to each of the eleven Persons within named in full for their Service & paid to Lewis Baue Esq^r to be delivered to them. [*Passed June 24.*]

CHAPTER 32.

ORD^R FOR AN ADDITION^L BUILDING TO HARVARD COLLEGE.

Ordered that an Additional Building of Brick be made to Harvard College to begin about Six Feet to the South West of Stoughton House & to extend in Length Westward Forty seven & half Feet or thereabouts not exceeding Fifty, of the same Breadth of Harvard College & of a suitable Heighth, not exceeding the Heighth of Harvard College, with three upright Stories & a convenient Roof of a suitable Pitch. [*Passed June 24.*]

Legislative
Records of the
Council, x.,
267.

House Jour-
nal, p. 21.

¹ October 27, 1717, was Sunday. The report mentioned does not appear in the Legislative Records.

CHAPTER 33.

RESOLVE ALLOWING TWELVE MONTHS' TIME TO NATHANIEL HENCHMAN FOR PAYING THE LOAN TO HIM.

Legislative
Records of the
Council, x.,
270.

House Jour-
nal, p. 25.

A PETITION of Nathaniel HENCHMAN of Boston Merchant Shewing that upon the Encouragement of a Loan proposed by the Governour Council & House of Representatives for Advancing Money to put forward the design'd Expedition to Canada in the Year 1711, the Petitioner very early carried in & supplied the Treasury with Six Hundred Pounds tho he was wholly shut out of the Benefit of any of the Forty Thousand Pounds, But afterwards in the same Year he receiv'd of the Treasurer the Sum of Fourteen Hundred Pounds, Part of the Ten Thousand Pound Loan, & gave Security for the Repayment thereof at the same time with those that had received their Money several Months before, that the Petitioner supplied so much Money in the said Service as amounted to near One Thousand Pounds Sterling, For which he had Bills drawn on the Lord High Treasurer of Great Britain at Thirty Days sight, Which Bills were tendered for Payment, But the Petitioner is not advised that one Penny thereof is as Yet paid, And therefore Praying the favour of this Court, that he may have one Years Respite more for Paying the said Loan Money into the Treasury gradually, It being difficult for him to pay the whole at once

In the House of Representatives; Read &

Resolved that the Prayer of this Petition be granted

In Council; Read & Concur'd so far, That the Petitioner be allowed Twelve Months to pay in the whole Sum due from him, Provided he pay one fourth Part thereof at the End of every three Months from this Time, The Treasurer to inspect the Security, & take care to have it renewed if he find it needful

In the House of Represent^{ves} Read & Concur'd. [*Passed June 25.*]

CHAPTER 34.

RESOLVE ACCEPTING THE ACCO^t OF THE TRUSTEES FOR £50,000.

Legislative
Records of the
Council, x.,
271.

House Jour-
nal, p. 23.

THE ACCOMPTS of the Trustees for Letting out the Fifty Thousand Pounds Loan of Bills of Credit: Read &

Resolved that the Accompts afore written be Accepted & Approv'd. [*Passed June 26.*]

CHAPTER 35.

RESOLVE ALLOWING £105. 2. 8 TO PENN TOWNSEND ESQ^r & EXCORS OF PETER SERGEANT ESQ^r.

Legislative
Records of the
Council, x.,
273.

House Jour-
nal, p. 22.
Ante, p. 185,
chap. 41.

A PETITION of Penn Townsend Esq^r on his own Behalf, & Thomas Palmer & William Hutchinson Esq^r on Behalf of Peter Sergeant Esq^r Dec^d Shewing that the said Peter Sergeant Esq^r with John Walley Esq^r were empower'd by this Government Anno. 1711, to impress sixteen Artificers to serve in the Train of Artillery in the Expedition design'd against Canada, which they perform'd, And the said Artificers proceeded on the said Expedition till the Disaster that happened to the

Fleet in the Mouth of Canada River put an End to it, That afterwards William Haws Commissary of the said Train of Artillery sent home the said Artificers with his Letter to the Petitioner Townsend desiring him to pay them their Wages, Amounting to Seventy five Pounds two Shillings Sterl^e, And to draw upon him at the Office of Ordnance in the Tower of London, & he would repay it, Which he refused to do, but after much Importunity of the poor Artificers he was prevail'd upon to join with Peter Sergeant Esq^r in paying the said Sum, Amounting to One Hundred & five Pounds two shillings & eight Pence in the Bills of Credit on this Province, with which Sum they were supply'd out of the publick Treasury, And the Petitioner Townsend according to Direction drew upon the said Commissary Haws, for the Sum of Seventy five Pounds two shillings Sterl^e, But it so happened that the said Haws died & in very low Circumstances, so that after all proper Endeavours nothing could be obtain'd in England to reimburse the Petitioners, They therefore pray that by an Order of this Court they may be discharg'd from their Bonds for the Payment of the abovesaid Sum of One Hundred & five Pounds two Shillings & eight Pence into the Treasury

Read &

Resolved that the Sum of One Hundred & five Pounds two Shillings & eight Pence be paid to the Petitioners out of the publick Treasury to enable them to discharge their Bonds, But in case there be any thing hereafter received from William Haws or the Office of Ordnance or otherwise the same shall be paid into the Treasury of this Province. [*Passed June 27.*]

CHAPTER 36.

RESOLVE CONTINUING FOR ONE YEAR THE LOAN TO JONATHAN BELCHER.

A PETITION of Jonathan Belcher Esq^r Shewing that there is now in the Hands of the Treasurer of this Province a Bond sign'd by his Father Andrew Belcher Esq^r Dec^d & himself for the Payment of Two Thousand eight Hundred Pounds being a Loan of this Province in part of what they advanced towards the Expedition against Canada in the Year 1711, And there remaining still due on the said Bond Fourteen Hundred Pounds, And the Supplies press'd from the Petitioner, Amounting to Two Thousand One Hundred & fifteen Pounds & sixteen shillings more than the Loan he had from the Government, He therefore prays this Hon^{ble} Court would indulge him with the Continuance of the said Loan another Year

Legislative
Records of the
Council, x.,
273.

House Jour-
nal, p. 28.

Read &

Resolved that the Prayer of the Petition be granted. [*Passed June 27.*]

CHAPTER 37.

ORDER IMPOWERING MARY EVANS TO MORTGAGE LAND OF HER FATHER DECEASED.

A PETITION of Mary Evans of Boston Shewing that her Husband Jonathan Evans has been long absent from her in the Island of Fayal & for many Years he has not sent her any Supply for the Relcief of herself & Family, that she has certain Intelligence that he is unhappily seduced to the Romish Religion, & never likely to come from the said

Legislative
Records of the
Council, x.,
274.

House Jour-
nal, p. 29.

Island of Fayal, And therefore Praying that she may have Liberty from this Hon^{ble} Court to sell or Mortgage some part of the Real Estate which descended to her from her Father Robert Bronsden of Boston Merch^t Dec^d for the Support of herself & Family, Her Coverture notwithstanding

Read &

Ordered that the Petitioner have Liberty to take up the Sum of One Hundred & fifty Pounds (& to Mortgage the Estate mentioned in the Petition for the same) for the Support of herself & Children & that she bring in a Bill accordingly. [*Passed June 27.*]

CHAPTER 38.

RESOLVE ALLOWING £40 TOWARDS THE SUPPORT OF THE MINISTRY AT NORTHFIELD.

Legislative
Records of the
Council, x.,
275.

House Jour-
nal, p. 29.

A PETITION of the Committee for Northfield in Behalf of the said Place Shewing that the Settlement of the said Place has been much obstructed by the Backwardness of the ancient Proprietors to resettle themselves there, by Reason of which the present Inhabitants are but few & in low Circumstances & not able (according to their good Intention) to settle & maintain a Minister among them, and therefore Praying that a Sum of Money may be granted out of the publick Treasury for their Assistance therein

Read &

Resolved that the Sum of Forty Pounds be allowed & paid out of the publick Treasury to the said Committee to be by them improved for & towards the Support of the Ministry in that Place. [*Passed June 28.*]

CHAPTER 39.

ORD^R AB^T THE LATE COMMISSION^R OF IMPOST ISSUING HIS ACCO^{TS}.

Legislative
Records of the
Council, x.,
276.

House Jour-
nal, p. 29.

WHEREAS there is a new Commissioner elected for Receiving the Duties of Impost &^c for the Year ensuing;

Resolved that the former Commissioner be impowered & enabled to Collect and Gather in all outstanding Debts of his Time, & be allowed three Months Time fully to issue & make up his Accompts with the Treasurer or Receiver General of this Province. [*Passed June 28.*]

CHAPTER 40.

ORDER ANNEXING LANDS OF THO^S KNOWLTON & JER. BUCKMAN TO THE HAMLET IN IPSWICH.

Legislative
Records of the
Council, x.,
276.

House Jour-
nal, p. 25.

A PETITION of Thomas Knowlton & Jeremiah Buckman of Ipswich Shewing that they are but two Miles distant from the Meeting Houss at the Hamlet, & four from Chebacco Meeting House, Which makee their Travelling there very difficult in the Winter, And Praying that this Court would exempt them from Chebacco & set them of to the said Hamlet

Read &

Ordered that the Prayer of the Petition be granted. [*Passed June 28.*]

CHAPTER 41.

RESOLVE ACCEPTING THE COMMITTEE'S ACCO^T OF REPAIRS AT CASTLE WILLIAM.

AN ACCOMPT of the Committee appointed by this Court to Direct the Repairs of Castle William, Of which the Ballance remaining due to the said Accomptants is £57. 4. 3.

Read &

Resolved that the said Accompt be Accepted, And that the Sum of Fifty seven Pounds four Shillings & three Pence be allowed & paid out of y^e publick Treasury to ballance the same. [*Passed June 28.*]

Legislative
Records of the
Council, x.,
276.

House Jour-
nal, p. 29.

CHAPTER 42.

RESOLVE ALLOWING £5. 10. 9 TO BENJAMIN SWAIN.

AN ACCOMPT of Benjamin Swain for Making a Well at the Hospital on Spectacle Island, Amounting to £5. 10. 9.

Read &

Resolved that the Sum of Five Pounds ten shillings & nine pence be allowed & paid out of the publick Treasury to Benjamin Swain to discharge his said Accompt. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
277.

House Jour-
nal, pp. 29, 30.

CHAPTER 43.

ORD^R REFERRING TO WHITEHALL FARM.

Ordered that it be an Instruction to Coll Samuel Thaxter in Laying out the Land called Whitehall Farm to make the South East Corner of the Plat a small Black Oak Tree mark'd standing about six Rods on the South Side of a Stream there, And that he be directed to notifie the Trustees of M^r Hopkins Legacy when he attends that Service, that they may be present if they see cause. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
277.

House Jour-
nal, p. 30.

CHAPTER 44.

ORDER ON SOUTH MIDDLEBORO' PETITION, PRAYING TO BE MADE A PRECINCT.

A PETITION of the Inhabitants of the South End of Middleborough, Shewing that their great Distance from the publick Meeting House which is at the other End of the Town makes their Attendance on the publick Worship extremely difficult & some times wholly impracticable, And Praying that they may be sett of a distinct Precinct and have Liberty to build a Meeting House, & maintain a Minister the other part of the Town having given their Consent thereto

Read &

Ordered that Samuel Thaxter & Nathaniel Thomas Esq^{rs} & M^r Thomas Turner be a Committee to go upon the Place, View & Con-

Legislative
Records of the
Council, x.,
278.

House Jour-
nal, p. 31.

sider the Scituation, Number & Circumstances of the Petitioners & Report their Opinion, What is proper for y^e Court to do on their Petition, at the next Fall Session. [*Passed July 1.*]

CHAPTER 45.

Legislative
Records of the
Council, x.,
279.

RESOLVE ALLOWING £6 TO JOHN BILLING FOR A BLIND INDIAN.

Legislative
Records of the
Council, x.,
262. House
Journal, p. 31.

Resolved that the Sum of Six Pounds be allowed & paid out of the publick Treasury to John Billing the Petitioner to be improved according to his best Discretion for the Use & Benefit of Thomas Oncuncanug the blind Indian mentioned in the Petition. [*Passed July 1.*]

CHAPTER 46.

VOTE ON SMITHS & BUDS PETITION, ALLOWING THEM A SHARE OF TOWN LANDS IN SUTTON.

Legislative
Records of the
Council, x.,
279.

Legislative
Records of the
Council, x.,
211, 214, 240.
House Jour-
nal, p. 31.

A HEARING having been had June 6. 1718 before the whole Court on the Petition of Thomas Smith, John Bud, & Rebecca Bud (as Enter'd Feb. 7 1717) The Vote of the two Houses after some Amendments made & agreed to stands thus

Voted that the Petitioners be admitted to an equal Share with the other original Grantees, to be made up to them out of the undivided Lands in Sutton, Provided they pay their part of the Charge that has accrued in Laying out the Land & Bringing forward a Township there, And they conform to what the Proprietors shall hereafter agree to Act for the Benefit of the said Lands to be in full of all Claims. [*Passed July 1.*]

CHAPTER 47.

ORD^R FOR REFERRING JOHN HIGGINSON &c PETITION.

Legislative
Records of the
Council, x.,
279.

Legislative
Records of the
Council, x.,
232, 245.
House Jour-
nal, p. 31.
Ante, p. 580,
chap. 15s.

THE ORDER of the Board for Referring the Consideration of the Petition of John Higginson & eighty others for a Tract of Land, to the next Session of this Court, As Enter'd June 10. 1718

In the House of Represent^{ves}; Read & Concur'd, And Cpt. John Shipley & M^r John Farnsworth are appointed & impowered to prosecute such Persons as make Strip or Wast on the said Land

In Council; Read & Concur'd. [*Passed July 1.*]

CHAPTER 48.

RESOLVE FOR EMITTING £6,000 IN BILLS AND PROVIDING SECURITY.

Legislative
Records of the
Council, x.,
279.

Resolved that the Treasurer be and hereby is impowered & Directed to issue forth & Emitt of the Bills of Publick Credit received into the Treasury the Sum of Six Thousand Pounds for Payment of the pub-

lick Debts of the Province already contracted for the Defence & Support of the Government & the necessary Protection & Preservation of the Inhabitants of this Province, & for subsisting of Forts & Garisons & Wages arising for their Service & for Payment of Grants Salaries & Allowances made or to be made by this Court according to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour or Commander in Chief for the Time being by & with the Advice & Consent of the Council: And the said Bills shall pass out of the Treasury at the Value therein express'd equivalent to Money & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five p^r Cent more

House Journal, p. 32.
Province Laws, ii., 130.

And as a Fund & Security for the same, There be & hereby is Granted to his most Excellent Majesty to the Ends & Uses aforesaid a Tax of Six Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province, According to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May 1722, and paid into the Treasury on or before the last Day of December next after. [*Passed July 3.*]

CHAPTER 49.

ORDER CONTINUING THE COM^{TEE} ON PHILLIP ENGLISH'S PETITION.

Legislative Records of the Council, x., 280.

ON THE PETITION of Philip English, As Enter'd June 14. 1717

Ordered that the Committee on this Petition be continued, And that they make Report to this Court at their Sessions in Autumn next. [*Passed July 3.*]

House Journal, p. 33.
Ante, p. 568, chap. 126; p. 574, chap. 143.

CHAPTER 50.

VOTE FOR A TAX OF £8,250.

IN THE HOUSE OF REPRESENT^{YES}; The Vote of the House pass'd the 28th of June 1718, for Raising Eight Thousand two Hundred & Fifty Pounds only: Read again &

Legislative Records of the Council, x., 280.

Ordered that a Message be sent up to the Board, That this House continues of Opinion, That Eight Thousand Two Hundred & fifty Pounds Tax with the other Provisions made, is sufficient to draw in the Twenty Two Thousand Pounds of Bills engaged to be done this Year, and they are not willing to raise more than is absolutely necessary for a Tax, Untill a better Enquiry be made into the rateable Estate of the Province, That the That the¹ Taxes may be made with more Equality, And Justice, And therefore still adhere to their Vote for Raising the Sum of £8,250 by Tax this Year

Legislative Records of the Council, x., 276
ter, 278 *quater*.
House Journal, pp. 32, 33.
Province Laws, ii., 129.

In Council; Read & Concur'd, Provided that what shall be found wanting to compleat the Sum of Twenty two Thousand Pounds now proposed to be drawn in be levied over & above the Sums already engaged to be rais'd in the Year next ensuing: In the House of Represent^{YES} Read & Concur'd. [*Passed July 3.*]

¹ *Sic.*

CHAPTER 51.

RESOLVE ALLOWING £16. 2 TO MR. SECRETARY WILLARD.

Legislative
Records of the
Council, x.,
281.

House Jour-
nal, p. 33.

AN ACCOMPT of M^r Secretary Willard of Writing done in the Secretaries Office to bring the Books forward to his Time, Amounting to Sixteen Pounds two Shillings

Read &

Resolved that the Sum of Sixteen Pounds two shillings be allowed & paid out of the publick Treasury to M^r Secretary Willard to discharge his Accompt. [*Passed July 4.*]

CHAPTER 52.

ORDER APPOINTING A COM^{TEE} TO TREAT WITH M^B BAXTER AB^T HIS RETURN TO THE EASTWARD.

Legislative
Records of the
Council, x.,
281.

Legislative
Records of the
Council, x.,
268, 271, 272.
House Jour-
nal, p. 34.

Ordered that Edward Bromfield Samuel Sewall John Clark Thomas Hutchinson & Adam Winthrop Esq^{rs} be a Committee to treat with the Rev'd M^r Baxter about his Return to the Eastward as a Missionary in Order to instruct the Indians, & to forward his Going, And that there be a Sum of One Hundred & Fifty Pounds allowed to him for his Service an other Year as formerly, And that M^r Baxter be desired to continue his Endeavours to teach the Indian Children to read as well as improve all oppertunities to instruct the grown People in the Things of Religion. [*Passed July 4.*]

CHAPTER 53.

ORDER APPOINTING A COMMITTEE, TO BE JOINED BY ONE OF NEW HAMPSHIRE, TO RUN THE LINE BETWEEN THAT PROVINCE AND THIS.

Legislative
Records of the
Council, x.,
282.

House Jour-
nal, p. 25.

A PETITION of John Wadleigh Representative of the Town of Salisbury in Behalf of the said Town, & by Order of the Select Men, Shewing that upon the Settlement of the Towns of Hampton & Salisbury by the Authority of the then Colony of the Massachusetts Bay some Differences happened respecting the Divisional Line between the said Towns, To Determine which the General Court did in the Year 1657, appoint & impower a Committee to bound the same, Who Reported that the Bounds between the said Towns towards the Sea should be upon a streight Line beginning at the Mouth of Hampton River, & running upwards to a Mark'd Tree at the upermost Corner of Batchelors Farm the said Line to run upon a West North West Point, That the Town of Salisbury shall have & enjoy thirty Acres of Marsh on the North Side of the lower End of the Line towards Hampton, Also that the Line shall run up into the Woods from the said Mark'd Tree upon a West & be¹ North Line according as Cpt Shapleigh has given in the Line of the Treading of Merrimack, Which Report was Accepted & Allowed by the said General Court as the true Boundaries of the s^d Towns, That notwithstanding the said Settlement of the Line, the Town of Hampton rate the Inhabitants of the Town of Salisbury for

¹ *Sic.*

a considerable Way within their Line, And therefore Praying that a Committee may be appointed to view the former settled Bounds, & confirm them, And thereby put a Stop to the great Ineroachments of the Town of Hampton upon the Lands belonging to the Town of Salisbury

In the House of Representa^{ves} Read &

Ordered that Cpt Samuel Appleton Major John Denison & Coll Henry Somersby with such as the Hon^{ble} Board shall appoint be a Committee fully impowered to joyn with such as the Government of the Province of New Hampshire shall depute. to run & settle the Divisional Line between this Province & that, And that his Excellency the Governour be desired to write to the Government of New-Hampshire to appoint & fully impower a Committee for that Purpose

In Council; Read & Concur'd, And Coll John Appleton & M^r William Moodey of Newbury are join'd with the Committee of y^e House appointed for the Affair above. [*Passed July 4.*]

CHAPTER 54.

ORD^R APPOINTING A COMMITTEE TO SETTLE THE BOUNDS BETWEEN SUTTON AND THE NIPMUG COUNTRY.

A PETITION of the Proprietors of the Town of Sutton, Shewing that the General Court having Erected a Township for them in part of the Lands called the Nipmug Country, the Indian Natives have a Tract of Land bordering on them called Hassanimisco, And therefore Praying this Hon^{ble} Court to appoint a Committee to run & settle the Bounds between the said Indian Tract & the Lands belonging to the said Town of Sutton, that so all Disputes touching the same may be determined & ended

Read &

Ordered that Major Chandler Cpt Chapin Jun^r & M^r Rider be impower'd to run the Line & settle the said Bounds between Sutton & the Indian Lands at the Charge of the Petitioners, And make Report to this Court at their next Sessions. [*Passèd July 4.*]

CHAPTER 55.

VOTE AB^T A TAX OF £10,000 GRANTED IN THE YEAR, 1714. TAX OF £13,250 (TO MAKE GOOD DEFICIENCYS) TO BE LEVIED ANNO. 1721, WITH PROVISION FOR A FUND FOR SECURITY.

WHEREAS this Court at their Sessions in October 1714. did grant a Tax of Ten Thousand Pounds to be levied upon Polls & Estates at their Session in May 1720, Three Thousand Pounds thereof to be paid into the Treasury on or before on or before¹ the last Day of December next after, And the remainder Seven Thousand Pounds on or before the last Day of December 1721, For the more convenient collecting & paying in the said Seven Thousand Pounds,

Resolved that the said Seven Thousand Pounds shall be paid into the Treasury on or before the last Day of December.

And Whereas by Examination of the Books & comparing the Sum of the Bills of Credit outstanding with the Sum of the Taxes granted

Legislative
Records of the
Council, x.,
282.

Legislative
Records of the
Council, x.,
243. House
Journal, p. 33.

Legislative
Records of the
Council, x.,
283.

House Jour-
nal, p. 34.
Province
Laws, li., 130.
Ante, p. 378,
chap. 98.

& outstanding, as Funds & Security to repay & bring in the same, It is found that the said Bills exceed the said Taxes the Sum of Thirteen Thousand two Hundred & fifty Pounds, Which has happened by a Dependence for some Years late past that the Impost Excise & other Funds would have brought in greater Sums than they really did; For the making good such Deficiency, And for a Fund & Security for the Repayment & Calling in of the said Bills;

Resolved that there be & hereby is Granted to his most excellent Majesty to the Ends & Uses as aforesaid a Tax of Thirteen Thousand two Hundred & fifty Pounds to be levied upon Polls & Estates both Real & Personal within y^e Province according to such Rules & in such Proportions upon the several Towns & Districts within the same as shall be agreed on & Ordered by y^e Great & General Court or Assembly of this Province at their Session in May 1721, & paid into the Treasury on or before the last Day of December next after. [*Passed July 4.*]

CHAPTER 56.

RESOLVE ALLOWING £1,500 TOWNS AN ADDITION^L BUILDING AT HARVARD COLLEGE AND APPOINTING A COMTEE FOR S^D BUILDING.

Legislative
Records of the
Council, x.,
283.

House Jour-
nal, p. 33.

Resolved that a Sum not exceeding Fifteen Hundred Pounds be at this Time allowed & paid out of the publick Treasury towards Erecting an Additional Building to Harvard College, And that Jonathan Remington & Charles Chambers Esq^{rs} & M^r Andrew Boardman be a Committee to take Care for the Carrying on & Effecting the said Building. [*Passed July 4.*]

CHAPTER 57.

ORDER APPOINTING A COMTEE FOR BURNING TORN & DEFACED BILLS.

Legislative
Records of the
Council, x.,
284. *Ibid.*, 316,
State Library
copy.

House Jour-
nal, p. 34.

In the House of Represent^{ves}

Ordered that the Representatives of the Towns of Boston Charles Town & Roxbury with such as the Hon^{ble} Board shall appoint be a Committee at any Time between thes¹ Sessions & the Session of this Court the next Autumn) when the Treasurer shall have Two Thousand Pounds or more of Bills in the Treasury, that are defaced & unfit for Use, on his Application to them, to take an Account of the Number of each of the Sorts of the said Bills & the Sum the whole amounts to, & give the Treasurer a Receipt for them, & burn the said Bills to Ashes; And make Report of their Doings to this Court as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer, equal to what the said Bills would have been if they had continued in his Hands

In Council; Read & Concur'd, And Penn Townsend Jonathan Belcher & Paul Dudley Esq^{rs} & Edward Bromfield Esq^r are added to the Committee of the House in the Affair. [*Passed July 5.*]

¹ *Sic*, for "this."

CHAPTER 58.

RESOLVE ALLOWING £600 TO THE GOV^R.

Resolved that the Sum of Six Hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esq^r Captain General & Governour in Cheif of this his Majesties Province for his Support in Manageing the Affairs of the Government. [*Passed July 5.*]

Legislative
Records of the
Council, x.,
284.

House Jour-
nal, p. 32.

CHAPTER 59.

RESOLVE ALLOWING £50 TO THE LT GOV^R.

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} William Dummer Esq^r Leiv^t Gov^r in Consideration of his Readiness at all Times to serve this Province. [*Passed July 5.*]

Legislative
Records of the
Council, x.,
284.

House Jour-
nal, p. 32.

CHAPTER 60.

RESOLVE ALLOWING £350 TO THE JUDGES.

Resolved that the Sum of Three Hundred & Fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superior Court of Judicature in Proportion to the Courts they attended the Year past. [*Passed July 5.*]

Legislative
Records of the
Council, x.,
284.

House Jour-
nal, p. 32.

CHAPTER 61.

RESOLVE ADDING £30 TO M^R PRESID^T LEVERITTS ALLOW^A.

Resolved that the Sum of Thirty Pounds be added to the Allowance of the Reverend M^r John Leveret President of Harvard College for the Year Currant beginning in January last, & paid to him out of the publick Treasury. [*Passed July 5.*]

Legislative
Records of the
Council, x.,
284.

House Jour-
nal, p. 32.

CHAPTER 62.

RESOLVE ALLOWING £250 TO M^R TREA^R ALLEN.

Resolved that the Sum of Two Hundred & fifty Pounds be allowed & paid out of the publick Treasury to M^r Jeremiah Allen Treasurer of this Province for his Service the Year past, His Trouble being extraordinary in Changing the Bills of Credit, & Taking Care of a Supply of the Gar-
risons. [*Passed July 5.*]

Legislative
Records of the
Council, x.,
284.

House Jour-
nal, p. 32.

CHAPTER 63.

RESOLVE ALLOWING £20 TO M^R JOHN WHITE.Legislative
Records of the
Council, x.,
285.House Jour-
nal, p. 32.In the House of Represent^{ves};*Resolved* that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of this House in part for his Service for the Year Currant.In Council, Read & Concur'd. [*Passed July 5.*]

CHAPTER 64.

RESOLVE ALLOWING £27. 10 TO JOHN FLAGG.

Legislative
Records of the
Council, x.,
285.House Jour-
nal, p. 32.*Resolved* that the Sum of Twenty Seven Pounds ten shillings be allowed & paid out of the publick Treasury to M^r John Flagg Door Keeper to his Excellency the Governour & this Court for his Service Half a Year ending the Twenty sixth Day of last Month. [*Passed July 5.*]

CHAPTER 65.

RESOLVE ALLOWING £15. 15 TO RICHARD PULLIN.

Legislative
Records of the
Council, x.,
285.House Jour-
nal, p. 13.

AN ACCOMPT of Richard Pullin for Entertainment made for the House of Representatives on the Election Day amounting to £15. 15/.

[Read and]

Resolved that the Sum of Fifteen Pounds & fifteen shillings be allowed & paid out of the publick Treasury to Richard Pullin the Accomptant to discharge this Accompt. [*Passed July 5.*¹]¹ A record of the foregoing proceedings will be found also of date June 27 (Legislative Records of the Council, x., 272); but that date represents the action of the House, the concurrence and consent being, it seems, entered there subsequently to the action of July 5, to show that the action of the House was adopted. Similar records of the Secretary are found in other places. See *ante*, p. 472, note.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-NINTH DAY OF OCTOBER, A.D. 1718.

CHAPTER 66.

RESOLVE ALLOWING £10 TO SAM^L CLARK.

A PETITION of Samuel Clark of Ipswich Shewing that he was a Soldier in the Service of the Province at the Eastward, in which Service he received several very greivous Wounds in his Body, Which have much impair'd his Health & Strength & incapacitated him for any Labour for a Livelyhood, & having no Estate of his Own, He is in very distressing Circumstances, And therefore Praying the Compassionate Consideration of this Court

Legislative
Records of the
Council, x.,
290.

House Jour-
nal, p. 36.

Read &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Samuel Clark the Petitioner for his Relief. [*Passed October 30.*]

CHAPTER 67.

RESOLVE ALLOWING £15 TO HUGH PIKE.

A PETITION of Hugh Pike Shewing, that he was wounded in the Expedition to Port Royal under Coll March, & afterwards he was an Ensign in the publick Service under Coll Shadrack Walton, At which Time he received several dangerous Wounds, of which he is not yet cured but rendered unable to do any Thing for the Support of himself & Family, And therefore Praying that this Court would do something for his Releif

Legislative
Records of the
Council, x.,
290.

House Jour-
nal, p. 36.

Read &

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the publick Treasury to Hugh Pike the Petitioner for his Releif. [*Passed October 30.*]

CHAPTER 68.

RESOLVE ALLOWING £5 TO ONNA THOMAS.

IN THE HOUSE OF REPRESENT^{VES} It being represented to the House that Onna Thomas a poor helpless Widow driven in from the Eastern Parts in the late War, now residing in the Town of Lyn, who had an Allowance granted to her by this Court in February last; stands in need of further Releif;

Legislative
Records of the
Council, x.,
291.

House Jour-
nal, p. 36.

Ante, p. 577,
chap. 149.

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to M^r Speaker Burril, to be dispos'd of as he shall think most suitable for her Releif

In Council, Read & Concur'd. [*Passed October 31.*]

CHAPTER 69.

ORD^R TO ENLARGE THE TIME FOR EXCHANGING BILLS.

Legislative
Records of the
Council, x.,
292.

Executive
Records of the
Council, vi.,
600, 605.
House Jour-
nal, pp. 36, 37.
Province
Laws, ii., 92.

IN THE HOUSE OF REPRESENT^{YES} Whereas this House are informed, that more Persons are attending at the Treasury to have Bills of publick Credit on this Province sign'd with three Hands only changed for others (Pursuant to an Act of this Court) than can be served before the Time limited for that End be expired;

Ordered that the Treasurer be directed to exchange such Bills untill the eleventh Day of November next ensuing & no longer, Any Law to the contrary notwithstanding

In Council; Read & Concur'd. [*Passed October 31.*]

CHAPTER 70.

RESOLVE AB^T ENLIST^G SOLDIERS AT CASTLE WILLIAM. COM^{TEE} TO VIEW THE WORKS AT CASTLE WILLIAM.

Legislative
Records of the
Council, x.,
292.

Legislative
Records of the
Council, x.,
291. House
Journal, p. 37.

In the House of Represent^{YES}

Resolved that the like Encouragement be granted for the Enlistment of a Garrison at Castle William (when the Time for which the last was enlisted is expired) as was granted for the last Enlistment, The Number of Soldiers & Time for which they are to be Enlisted to be the same as was then, And that John Stoddard Cpt John Wadsworth, Coll Henry Somersby, John Foye Esq^r & M^r John Payne with such as the Hon^{ble} Board shall joyn be a Committ^{ee} to go to the said Castle, View the Works there, & Report what further Repairs they think are needfull there

In Council; Read & Concur'd, And William Tailer, John Appleton & Nathⁿ Norden Esq^{rs} are joyn'd with the Committee of the House to view the Works at Castle William. [*Passed October 31.*]

CHAPTER 71.

ORDER ON JOHN LEVERETT & ELISHA COOK ESQ^{RS} PETITION FOR LAYING OUT LAND TO THE HEIRS OF JOHN LEVERETT.

Legislative
Records of the
Council, x.,
293.

House Jour-
nal, p. 38.

A PETITION of John Leverett & Elisha Cook Esq^{rs} in Behalf of themselves & others the Heirs & Legataries of the Hon^{ble} John Leveret Esq^r some time Governour of the late Colony of the Massachusetts Dec^d Shewing that whereas at a General Court of Elections at Boston the 31 of May 1671, the said Court considering the Labour & Expences of the then Deputy Governour Major John Leveret in several Journeys by him taken & performed by Order of the General Court for which no meet Recompence has been made to him, Did Grant him Five Hundred Acres of Land in any free Place, And forasmuch as the aforesaid

Grant was never taken up by the aforesaid John Leveret in his Life time nor by his Heirs since his Death, but still remains to be laid out to them, Therefore Praying this Hon^{ble} Court to take the Premises into their serious Consideration & Give them Liberty to take up the aforesaid Grant of Five Hundred Acres of Land out of some of the unappropriated Lands belonging to this Province not prejudicing any former Grant

Read &

Ordered that the Prayer of the Petition be so far granted that the Petitioners have Leave by a Surveyour & Chain Men under Oath to lay out Five Hundred Acres of Land in a proper Figure in some free Place, Excepting such Lands as are petitioned for to this Court for a Township, & Present a Plat thereof to this Court for Confirmation to fulfil the Grant made to Major John Leveret in May 1671, If it hath not been already done. [*Passed November 1.*]

CHAPTER 72.

RESOLVE ALLOWING £20. 0. 7 ON THE HOSPITAL ACCO^T.

AN ACCOMPT of finishing the publick Hospital on Spectacle Island & Making a Fence there, Amounting to the Sum of Twenty Pounds & seven pence, sign'd Samuel Thaxter & William Payne

Legislative
Records of the
Council, x.,
294.

Read &

Resolved that the Sum of Twenty Pounds & seven Pence be allowed & paid out of the publick Treasury to the Accomptants to discharge their Accompt. [*Passed November 1.*]

House Jour.
nal, p. 38.
Ante, p. 502,
chap. 125.

CHAPTER 73.

RESOLVE ALLOWING £21. 16. 9 ON COL^O EDW^D HUTCHINSONS ACCO^T OF A BUILDING AT AROWSICK.

AN ACCOMPT of Edward Hutchinson Esq^r of the Charge of Building an House at George Town on Arrowsick Island for the Entertainment of the Indians, Amounting to the Sum of £21. 16. 9.

Legislative
Records of the
Council, x.,
294.

[Read and]

Resolved that the Sum of Twenty one Pounds sixteen shillings & nine pence be allowed & paid out of the publick Treasury to Edward Hutchinson Esq^r to discharge the s^d Accompt. [*Passed November 3.*]

House Jour.
nal, p. 38.

CHAPTER 74.

ORDER ACCEPTING THE COM^{TEES} REPORT AB^T REPAIRS AT CASTLE WILLIAM.

PURSUANT to the Order to us directed, We have been at his Majesties Castle William, And his Honour the Lievtenant Governour having shewn unto us the late Repairs made there, We find the same to be well & faithfully performed, And We are humbly of Opinion, That the Way leading from the upper Fort to the lower Battery being wholly decayed, It is absolutely necessary that it be built with Stone & arched

Legislative
Records of the
Council, x.,
295.

House Jour.
nal, p. 39.
Ante, p. 614,
chap. 70.

with Brick for the better Preservation of the Men & Securing the Stores in Time of Engagement. there being Stone already for the Foundation : That the Well at the lower Battery be well secured : That the Stone Work be new pointed : That the Brick Work be repair d where it is wanting, That the Copings of the Walls that were left uncovered being much out of Repair be mended & covered with Boards & Shingles for the better Preservation of the same : That the Platforms being very much decayed, It is necessary that a suitable Quantity of Plank & Sleepers be provided for Repairing the same : That the Floor of y^e long Arch being wholly rotten be forthwith laid new : Sign'd by Order of y^e Committ^{ce}

W^m TAILER

Boston Nov. 3. 1718

In the House of Represent^{ves} ; Read & Accepted &

Ordered that the several Repairs & Works propos'd therein be proceeded in as soon as the Season will permit, And in the mean Time Provision be made for it; And that Cpt Joseph Wadsworth, Coll Sam^l Thaxter & John Foye Esq^r with such as the Hon^{ble} Board shall appoint be a Committee to take Care to have the same effected in the best manner they can, & lay the Accompts thereof before this Court

In Council, Read & Concur'd; And the Hon^{ble} William Dummer Esq^r & Jonathan Dowse Esq^r are added to the Committee for the Affair above. [*Passed November 4.*]

CHAPTER 75.

RESOLVE CONFIRMING A PLAT OF 500 ACRES OF LAND FOR ROXBURY FREE SCHOOL.

Legislative
Records of the
Council, x.,
295.

House Jour-
nal, p. 39.
Ante, p. 564,
chap. 117.

A PLAT of Five Hundred Acres of Land [being] returned to this Court by William Dudley Esq^r to fulfil a Grant made by the late Colony of the Massachusetts to the Free School of Roxbury, Allowed by an Order of this Court Nov^r 19. 1717, to be surveyed & a Return to be made thereof for Confirmation

Resolved that the Lands contain'd & delineated in the Plat on the other Side be granted & confirmed to & for the Use & Benefit of the Free School in Roxbury for Ever, to fulfil & satisfie the Grant of the General Court made for that Use Anno 1660, Provided it entrench upon no former Grant, & that this has not been before taken up. [*Passed November 4.*]

CHAPTER 76.

RESOLVE ALLOWING ACCO^t OF REPAIRS AT CASTLE WILLIAM.

Legislative
Records of the
Council, x.,
296.

House Jour-
nal, pp. 39, 40.
Ante, p. 615,
chap. 74.

THE ACCOMPTS of the Committee appointed to oversee the Repairs at Castle William, Amounting to the Sum of £255. 18. 9.

[Read and]

Resolved that the said Accompts be Accepted & Allowed, And that the Sum of Five Pounds six shillings & a peny remaining in the Hands of the Committee be given to Cpt Zechariah Tuthil for his extraordinary Service in Assisting & forwarding the Repairs of the said Castle. [*Passed November 4.*]

CHAPTER 77.

ORDER ON ELISHA JOHNSONS PETITION FOR PURCHASE OF INDIAN LANDS.

ON THE PETITION of Elisha Johnson

Ordered that the Prayer of this Petition be granted; And that the Petitioner be allowed to purchase & enjoy y^e Lands mentioned in the Petition, He & his Successors from Time to Time performing the Conditions & Proposals sett forth in his Petition, Provided Samuel Sewall John Chandler & Josiah Chapin Esq^{rs} be a Committee to take Care that the Indians have Justice done them in the said Purchase, And that the Purchase-Money be deposited in the Hands of the said Committee for the Use of the said Indians.¹ [*Passed November 4.*]

Legislative
Records of the
Council, x.,
297.

House Jour-
nal, pp. 37, 39.
Legislative
Records of the
Council, x.,
296.

CHAPTER 78.

ORDER ON THE PETITION OF THE SELECTMEN OF FRAMINGHAM FOR AN APPEAL FROM A JUDGMENT.

A PETITION of Joseph Buckminster & others, Shewing that the Petitioners at a Court of Assize & General Goal Delivery for the County of Middlesex on the last Tuesday of July last were on Behalf of y^e Town of Framingham Appell^{rs} & the Select Men of the Town of Weston Appellees, That the Petitioners having in their Reasons of Appeal mistaken the Place where the said Court of Assize was to be held; Viz, Instead of Cambridge named Charlestown, their Reasons of Appeal were quashed, And that the Petitioners were condemned in Costs of Suit, And therefore Praying that upon filing new Reasons of Appeal in the said Cause, & Giving Notice to the Appellees, they may be Enabled by an Act of the Hon^{ble} Court to prosecute the said Suit, & have a Hearing of the Merits of their said Cause, at the next Court of Assize to be held in January next for the said County of Middlesex

Legislative
Records of the
Council, x.,
288.

House Jour-
nal, p. 40.

Read &

Ordered that the Prayer of this Petition be granted, and that the Petitioners have Leave to bring in a Bill accordingly; The Judgment already given for Costs not to be reversed. [*Passed November 5.*]

¹ The following petition will explain the foregoing; the order of the General Court, *supra*, answers what now follows, as well as the petition of Johnson:—

“A PETITION of several of the Indians of Hassanimisco, Shewing that whereas Elisha Johnson of Sutton (of whose Friendship they have had two Years experience) is willing to lay himself out to build two Cart Bridges on the two Branches of Blackstones River, Which will be of publick Advantage & much to their Benefit, And that on Condition of Building said Bridges he is desirous to purchase Two Hundred Acres of Land of them, they are willing to convey the said Lands to the abovesaid Johnson; And therefore Praying that this Hon^{ble} Court would allow them to Convey the said Lands to the aforementioned Elisha Johnson on the said Conditions. Read [November 4, 1718].”—Legislative Records of the Council, x., 297.

CHAPTER 79.

ORDER REFERRING TO AN ERROR IN RICH^d & JAMES CARRS ACT.Legislative
Records of the
Council, x.,
300.Province
Laws, vi., 102.
House Jour-
nal, p. 41.

WHEREAS in a private Act, pass'd the last Session of this Court, to enable Richard Carr & James Carr to bring forward their Appeal &c, through an Error in drawing up the said Bill, the said Richard & James Carr were named of Newbury, instead of being named of Salisbury;

Ordered that the Justices of the Superior Court be directed & empowered to allow the said Appeal to go on, notwithstanding the said Error. [*Passed November 6.*]

CHAPTER 80.

ORDER TO THE COMMISSIONER OF EXCISE IN THE COUNTY OF HAMPSHIRE.

Legislative
Records of the
Council, x.,
300.House Jour-
nal, p. 40.

IN THE HOUSE OF REPRESENT^{YES} It being represented to this House that but one Person in the County of Hampshire has taken out a Licence this Year, as a Retailer or Innholder; & yet Strong Drink is sold there as usually;

Ordered that the Commissioners for Excise in the said County be strictly charged & required carefully & diligently to detect & prosecute all such as sell strong Drink without Licence there, & to empower suitable Persons under him to detect & prosecute such Offenders in those Towns where he has not Opportunity that the Law may not be eluded.

In Council; Read & Concur'd. [*Passed November 7.*]

CHAPTER 81.

VOTE TO EXPLAIN Y^E VOTE ON THE PETITI: OF JOS. AYRES &c.Legislative
Records of the
Council, x.,
302.Legislative
Records of the
Council, x.,
300. House
Journal, p. 42.

Voted that the Intention of the Court in confirming the several Grants of Land made to the Children & Posterity of John Ayers formerly of Brookfield alias Quoboag Dec^d by Coll. Patridge &c a Committee for said Brookfield, to the several & respective Grantees, as named in the said Grants, their Heirs & Assigns, should be in full of all Claims & Demands whatsoever even from their paternal Right, And that those & those only who have or shall bring forward a Settlement on their respective Lots within the Space of three years next coming from the 25th of May 1718, shall be entitled to After Divisions in the said Town. [*Passed November 8.*]

CHAPTER 82.

VOTE ACCEPTING THE REPORT ON PHILIP ENGLISH'S PETITION.

Legislative
Records of the
Council, x.,
302.House Jour-
nal, pp. 42, 43.

THE REPORT of the Committee to consider the Petition of Philip English Enter'd June 14. 1717, & all the Papers relating thereto, & report what they think proper to be done in Answer thereto to this Court, is as follows; viz,

In Obedience to the Order within mentioned, Having had several Meetings on the Affair, At which the Petitioner & sundry of the Evidences have given their Attendance, & were heard & examined; & the Petition & the Papers relating thereto, with the Representation of the Damage & Loss, being duly considered; The Committee are humbly of Opinion, It is reasonable upon the whole, that the Petitioner be allowed & paid out of the publick Treasury Two hundred Pounds, in full Satisfaction for what he may have sustained & suffered as set forth in his Petition Accompts & Papers: Which is humbly submitted.

Your Honors most obedient Serv^t Per Order of the Comm^{tee}

THO. FITCH

Read & Accepted. [*Passed November 10.*¹

CHAPTER 83.

APPOINTMENT OF A PUBLICK THANKS GIVING.

A MESSAGE came up from the Represent^{ves} by M^r Tay & M^r Whipple, Praying his Excellency to appoint a general Thanks Giving, to be observed through out this Province upon the various Grounds & Occasions thereof. [*Passed * November 10.*

Legislative
Records of the
Council, x.,
302.

Executive
Records of the
Council, vi.,
617, 618.
House Jour-
nal, p. 43.
Love's Fast
and Thanks-
giving Days
of New Eng-
land, p. 489.

CHAPTER 84.

RESOLVE ALLOWING £8 TO REBECCA STURGES.

A PETITION of Rebecca Sturges of Yarmouth Widow, Shewing that in the last Winter, soon after the Death of her Husband, her House caught a Fire in the Dead of the Night, that the Fire was so furious that three Indian Children were burnt to death, that the rest narrowly escaped with their Lives, that their Goods were all consumed & a considerable sum in Bills of Credit, whereof Ten Pounds were (to the best of her Knowledge) of this Province, which she prays may be allowed her, & that having a Licence to keep a publick House, & having laid in a considerable Stock of Liquors, which were destroyed in the Fire, that she may sell strong Drink for three years without paying Excise.

Read & In answer to this Petition;

Resolved that the sum of Eight Pounds be allowed & paid out of the publick Treasury to Rebecca Sturges the Petitioner, It appearing to the Satisfaction of this House that Bills of Credit on this Province of the same Value were actually burned in her House. [*Passed November 11.*

Legislative
Records of the
Council, x.,
303.

House Jour-
nal, p. 43.

¹ This was one of the witchcraft cases, — a claim by English for "Allowance for a great Part of his Estate taken from him (as was said) by lawful Authority in the late sorrowful time of the Witchcraft." — Legislative Records of the Council, x., 147.

CHAPTER 85.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES FOR BURNING TORN & DEFACED BILLS.

Legislative
Records of the
Council, x.,
303.

House Jour-
nal, p. 43.

In the House of Represent^{ves}

Ordered that Edward Hutchinson Esq^r Charles Chambers Esq^r Cpt. Peter Osgood, Major Habijah Savage, M^r John Payn, Cpt. Joseph Wadsworth, & John Foye Esq^r with such as the Hon^{ble} Board shall appoint, be a Committee to receive of the Treasurer such Bills of publick Credit in his Custody, as are torn, defaced & unserviceable; to number & take an Accompt of them & of their several Denominations, bundle up & burn the same; And make Report to this Court: In Council; Read & Concur'd, & Penn Townsend John Clark, Thomas Hutchinson, Thomas Fitch & Paul Dudley Esq^{rs} are joined with the Comm^{tee} of the House on the Affair above. [*Passed November 11.*]

CHAPTER 86.

RESOLVE ALLOWING 32/ 2 ON ACC^t OF EXPENCE ON PHIL. ENGLISH'S AFFAIR.

Legislative
Records of the
Council, x.,
303.

House Jour-
nal, p. 44.

AN ACCOMPT of the Expence & Charge of the Committee on Philip English's Affair as well in the Recesses as at several Sessions of the General Court, Amounting to the sum of Thirty two shillings & two pence.

Read &

Resolved that the sum of Thirty two shillings & two pence be allowed & paid out of the publick Treasury to the Hon^{ble} Thomas Fitch Esq^r Chair man of the said Comm^{tee} to discharge the said Account. [*Passed November 11.*]

CHAPTER 87.

ORDER MAKING BROOKFIELD A TOWNSHIP, AND DISCHARGING THE COMMITTEE OF MANAGEMENT.

Legislative
Records of the
Council, x.,
304.

House Jour-
nal, p. 44.

A PETITION of Samuel Patridge Esq^r & others a Committee appointed by this Court for the Town of Brookfield, Shewing that after many Disappointm^{ts} by War & otherwise (Which for a long time the People of the said Place have laboured under) by the good Providence of God they are increased to the Number of fifty Families, have almost finished a convenient Meeting house, settled a Church & ordained an orthodox & learned Minister, And therefore Praying that the Place be made a Township & made capable of Ordering all the Affairs of a Town, according to the Directions of the Law; & that the said Committee be released from the Managem^t of the Affairs of said Place.

In the House of Represent^{ves} Read &

Ordered that the Prayer of the Petition be granted, And that the Inhabitants of the Town of Brookfield be invested with all the Powers, Privileges & Authorities to direct, order & manage all the Affairs of the said Township, that other Towns are or ought to be invested with; And that the Committee be dismissed from the Care of them with the

Thanks of this Court for their good & faithful Service ; The said Town to ly to the County of Hampshire. [*Passed November 12.*]

CHAPTER 88.

ORDER ERECTING A TOWNSHIP TO BE CALLED SUNDERLAND, AND DISCHARGING THE COMMITTEE OF MANAGEMENT.

A PETITION of Samuel Patridge & Samuel Porter Esq^{rs} a Committee for managing the Affairs of Swampfield, Setting forth that there are now Forty Families settled in the said Place, that they have a convenient House for the Worship of God, have gathered a Church & ordained a learned & orthodox Minister among them ; And therefore Praying that more Lands may be allowed & granted to the said Place, That Two thousand & fifty Acres of Land reserved to the Province in the said Place may be granted to them for the Use of the Free School, that they may be exempted from Province Taxes for five Years, That the Town Rates be raised on Polls & Lands only, That they may be a Township & the Inhabitants made capable of Ordering the Affairs of a Town according to the Directions of the Law, And the Committee be released from the Managem^t of the Affairs of the said Place.

Read &

Ordered that the Prayer of the Petition be so far granted, That the Inhabitants be invested with the same Powers, Privileges & Authorities to order, direct & manage all the Affairs of the said Township, that other Towns are or ought to be invested with And that the Committee be dismissed from their Care of them with the Thanks of this Court for their good & faithful Service ; And that the Name of the said Town be hence forward called Sunderland, & ly to the County of Hampshire. [*Passed November 12.*]

Legislative
Records of the
Council, x.,
305.

House Jour-
nal, p. 44.

CHAPTER 89.

ORDER FOR MAKING FALMOUTH A TOWN.

PURSUANT to a Vote of a Great & General Assembly of his Majestys Province of the Massachusetts Bay in New England held at Boston May 1715, Impowering & Appointing us the Subscribers to be a Committee to prosecute the regular Settlement of the Eastern Frontiers & in Answer to the Petition of the Proprietors & Settlers of the Town of Falmouth in Casco Bay in the Year 1717, & 1718, Who have made Application to us the Committee, according to the Direction of the General Court ; We have upon the 16th Day of this present Month of July taken a View of the said Town of Falmouth, & upon mature Deliberation & Consideration, We offer our Report to the Hon^{ble} Court as follows ; viz,

The dividing Bounds between Scarborô & Falmouth, We find to be the Line between the first dividing Branches of Spurwink River ; From thence to run into the Country eight miles North west ; & from the said Branches as the River runs into the Sea ; And the Easterly Bounds of Falmouth to extend to certain Islands known by the Name of the Clap board Islands ; From a red Oak Tree upon the Main over against said Islands mark'd F, on the South side, & so South East over a white Rock into the Sea ; & from said Tree eight miles into the Countrey : And according to. the best of our Judgments, we have determined the Spot

Legislative
Records of the
Council, x.,
305. Mass.
Archives,
cxlii., 637.

Mass.
Archives, vi.,
478, 479, 482,
484 ; cxlii., 636,
638 ; cxv., 552.
House Jour-
nal, p. 43.
Ante, p. 395,
chap. 25 ; p. 531,
chap. 24 ; p. 599,
chap. 27.

whereon the ancient Town of Falmouth stood, & a Fort was formerly built by Order of the Government and where there are already settled above twenty Families in a compact defensible manner, to be a very agreeable Place for the Settlement of a Town, being bordering upon a fine navigable River, guarded from the Sea by adjacent Islands most commodious for the Fishery, & is accomodated with several large Streams for Mills, as well as a large Quantity of good Land for the Encouragem^t of Husbandry; And we are of Opinion there is a fair Prospect of its being in a little time a flourishing Town: And in Order to the enabling them to a methodical Proceeding in their Affairs, We are of Opinion that it is absolutely necessary they should be invested with Powers to act as a Town as soon as may be with Convenience: We have also left our Advice with them with respect to their laying out their Streets & High ways, as also for their placing their Meeting-house after the most commodious manner for the benefit of the Town in general:

Sign'd, JOHN WHEELWRIGHT, LEWIS BANE,
 ABRA. PREBBLE, JOSEPH HILL.
 JOHN LEIGHTON,

Read and

Ordered that the Report on the Other Side be accepted, and that the Bounds of the Town of Falmouth be continued confirmed and ratified as in the said Report is set forth, and that the Inhabitants of the said Town that now are and hereafter shall be from Time to Time invested with the Same Powers and Authorities to act manage direct and Order the Affairs of the said Township as Other Towns are, Provided that this Order shall in no Measure Prejudice and infringe any Just Right or Title that any Person have to Lands there, and that Fifty Families at the least more than now are be admitted as soon as may be and Settled in the most compact & defensible Manner that the Land will allow of. [*Passed November 12.*]

CHAPTER 90.

ORDER APPOINTING A COMMITTEE TO EXAMINE THE COMMIS^R OF IMPOSTS ACCOUNTS.

Legislative
Records of the
Council, x.,
306.

House Jour-
nal, p. 45.

In the House of Represent^{ves}

Ordered that Edward Hutchinson Esq^r & Cpt. Joseph Wadsworth be a Committee in the Recess of the Court to inspect & examine the Accompts of the Commissioner of the Impost, & make Report to this Court at their Session in May next:

In Council; Read & Concur'd, & Jonathan Belcher Esq^r is added to the Committee of the House on the Affair above:

In the House of Represent^{ves} Read & Concur'd. [*Passed November 13.*]

CHAPTER 91.

ORDER ON THE PETITION OF LEICESTER COMMITTEE ABOUT TAXES FOR A MEETING HOUSE.

Legislative
Records of the
Council, x.,
308.

A PETITION of William Dudley Esq^r Clerk of the Proprietors of Leicester Shewing that there are about forty Inhabitants in the said Town, who are willing & desirous that a Tax should be made & assessed for

defraying the Charge of building a Meeting house for the publick Worship of God, the Support of a Minister, & the other necessary Charges arising in the said Place That the Inhabitants incline that the Committee already chosen by the Proprietors for the Settlement of the said Town may be authorized to make the Rate, & assess each Proprietor their proportion of the Charge that will accrue, according to their best Judgment, & that a Constable should be forthwith chosen to collect the Rates of the Proprietors, that so they may without delay proceed to build a Meeting house, & provide a Minister to settle among them; And Praying in behalf of the said Town that this Court would empower the said Committee to be forthwith Assessors to assess upon the Proprietors of the said Township their due & equal Proportion of the said Charge & empower the Inhabitants to chuse a Constable to collect & levy the several Sums to be assessed on the said Proprietors by the said Committee.

Read &

Ordered that William Dudley Esq^r Major Joshua Lamb, M^r Samuel Banister, Nathan^l Kenny & Samuel Kenny the present Committee for Leicester be Assessors for levying a Tax of One hundred & twenty Pounds on the Inhabitants of the said Town for & towards the defraying the Charges of building a Meeting house, & the Support & Maintenance of a Minister in & for said Town, to be raised & levied after the proportion following; viz, Thirteen shillings on the Poll, & Thirty five shillings on each Forty Acre Lot, & other Lots in that proportion, The said Assessors being first sworn according to Law; And that the Inhabitants, as soon as may be, be assembled, & chuse two Constables or Collectors to collect the Money & pay the same into the Hands of the Committee, or whom they shall appoint to receive the same to be laid out for the Uses abovementioned; & an Accompt thereof to be rendered to the Inhabitants; The Collectors or Constables to be sworn also, as the Law directs. [*Passed November 14.*]

House Journal, p. 44.

CHAPTER 92.

ORDER ALLOWING £10 FOR REPAIRING PATUCKET BRIDGE.

A LETTER from Joseph Jenks Esq^r Deputy Governor of the Colony of Rhode Island to his Excellency the Governor; Dated at Providence Novem^r 5. 1718, Intimating that about five years since there was a Bridge built over Patucket River, at the Charge of the Province of the Massachusetts Bay & the Governm^t of Rhode Island, but for Want of Money sufficient, never was finished; by which means it is much out of Repair, to the great Hindrance of Travellers from the Western Part of the Countrey to Boston, That the Assembly of Rhode Island have allowed Ten Pounds for the Repairing the said Bridge, in case the Massachusetts will allow the same; & the said Bridge will be much more serviceable to the Massachusetts than to Rhode Island

Legislative Records of the Council, x., 308, 310.

House Journal, p. 47. Records of the Colony of Rhode Island and Providence Plantations, 1707–1740, iv., 243.

Read &

Resolved the sum of Ten Pounds be further allowed & paid out of the publick Treasury towards Finishing the said Bridge. [*Passed November 14.*]

CHAPTER 93.

RESOLVE ACCEPTING THE REPORT OF THE COMMITTEE ON BURNING BILLS OF CREDIT.

Legislative
Records of the
Council, x.,
310.

House Jour-
nal, p. 46.
Ante, p. 620,
chap. 85.

IN OBEDIENCE to an Order of the Great & General Court at their present Sessions Octob^r 29. 1718. appointing us the Subscribers, a Committee to take an Accompt of Province Bills of Credit of three Names, & of those that are torn & defaced &c, We have accordingly received of M^r Treasurer Allen the several Bills of the Denomination in the Accompt on the other Side, Amounting to the sum of £13,136. 0. 4 Whereof £11,747. 7. 9 Part of the above sum were delivered us on Account of the Province, Being received for Taxes Impost & Excise; which with the Five per Cent. Advance, as they were received into the Treasury, amounts to the sum of £12,334. 15. 1 Also £1,388. 12. 7 Nett Bills received of the Trustees mentioned on the other Side, Making in the whole the sum of Thirteen thousand seven hundred twenty three Pounds seven shillings & eight pence. Witness our Hands, Novem^r 12. 1718.

JOHN PAYN
PETER OSGOOD
JOS. WADSWORTH
JOHN FOYE.
PAUL DUDLEY
EDW^d HUTCHINSON

HABIJAH SAVAGE
CHARLES CHAMBERS
PENN TOWNSEND
JOHN CLARK
THO. HUTCHINSON
THOMAS FITCH

Read &

Resolved that the Report on the other side be Accepted; & that the Treasurer be discharged accordingly. [*Passed November 14.*]

CHAPTER 94.

RESOLVE ACCEPTING THE 2^d REPORT OF THE COMMITTEE ON BURNING BILLS OF CREDIT; TREAS^{rs} DISCHARGE OF BILLS BURNT.

Legislative
Records of the
Council, x.,
311.

House Jour-
nal, p. 46.
Ante, p. 620,
chap. 85.

IN OBEDIENCE to an Order of the Great & General Court at their Sessions begun Octob^r 29. 1718, appointing us the Subscribers a Committee to take an Account of Province Bills of three Names ordered to be exchanged & of those that are torn & defaced &c; We have accordingly received the several Bills mentioned above, of M^r Treasurer Allen; Amounting in the whole to the sum of Sixteen thousand seven hundred & six Pounds & ten shillings, being part of the Canada Loan Money; and caused them all to be burnt to Ashes this 12th Day Novem^r 1718.

JOHN PAYNE
PETER OSGOOD
JOS. WADSWORTH
JOHN FOYE
PAUL DUDLEY
EDW^d HUTCHINSON

HABIJAH SAVAGE
CHAR. CHAMBERS
PENN TOWNSEND
JOHN CLARK
THO. HUTCHINSON
THOMAS FITCH

Read &

Resolved that the Report on the other side be Accepted, & the Treasurer discharged accordingly. [*Passed November 14.*]

CHAPTER 95.

ORDER FOR ENLARGING THE TIME FOR EXCHANGING BILLS OF CREDIT.

IN THE HOUSE OF REPRESENT^{IVES} Whereas the Treasurer has represented to this House, that many Persons have attended him with Bills of publick Credit, sign'd with three Hands only, to be exchanged for others, Pursuant to an Act of this Court for that End; And he has not had Bills sign'd with four Hands to exchange them, & there is no Prospect that Bills sufficient to exchange the said Bills will soon come into the Treasury, There being Fifteen thousand Pounds to be exchanged according to the Treasurers Accounts;

Ordered that the Time for the Treasurers Exchanging such Bills be further lengthened out & extended for the Space of six months next coming; Any Law, Usage or Custom to the Contrary notwithstanding.

In Council; Read & Concur'd. [*Passed November 14.*]

Legislative
Records of the
Council, x.,
312.

House Jour-
nal, p. 47.
Province
Laws, ii., 92,
130.

CHAPTER 96.

ORDER OF HEARING ON THE REPORT ABOUT MIDDLEBORO AFFAIR.

WHEREAS this Court at their Sessions in May last past, at the Request of sundry Persons belonging to the West Part of Middleboro, Praying that they may be set off & made a Township, Ordered us the Subscribers to go upon the Place, view & consider the Situation, Number & Circumstances of the Petitioners, & report what is proper for this Court to do thereon; Pursuant to the said Order, On the third of September last, We met at Middleboro, & viewed the Lands petitioned for, & are humbly of Opinion, that they are not a sufficient Number, neither will their Circumstances admit of their being either a Township or a Precinct; But if the Inhabitants with the Lands adjoining, belonging to Taunton, as is described in a Plat drawn by Cpt. Thomson, herewith presented be annexed to them, together with the Indians & Indians Lands belonging to Assawamset & Tetticut, & that the said Indians have a proportionable Part of the Meeting house, to meet with them & to worship God; Then it may be of Advantage to the Inhabitants, as also to the Province in general to make them into a Township; Always Provided that no Inhabitants hereby set off have at all times hereafter the Privilege of Taking Fish in the Township of Middleboro, as they have had in time past.

Novem^r 12. 1718.

Sign'd

SAM^l THAXTER,
NATH^l THOMAS

Read &

Ordered that the Petitioners serve the Town of Taunton and the Town of Middleboro with a Copy of this Report & the Plat exhibited therewith, that they may be heard before this Court on the second Tuesday of the Sessions of this Court in May next, if they have any thing to object why this Report may not be accepted, & the Proposals therein made for a Township put in Execution. [*Passed November 14.*]

Legislative
Records of the
Council, x.,
313.

House Jour-
nal, p. 45.
Ante, p. 605,
chap. 44.

CHAPTER 97.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE ON THE LINE
BETWEEN SPRINGFIELD AND ENFIELD.

Legislative
Records of the
Council, x.,
307 *bis*, 314.

Legislative
Records of the
Council, x.,
306, 307.
House Jour-
nal, p. 48.
Ante, p. 538,
chap. 49; p. 596,
chap. 20.

PURSUANT to an Order of the General Assembly of the Province of the Massachusetts Bay of the 20th of June 1717, & the 18th of June in this present Year, We the Subscribers continued the Line partly run by former Commissioners, between the Towns of Springfield & Enfield, to the Extent of Enfield East Bounds; viz, Ten miles from Long Meadow Brook, below Springfield, upon a Course East by the Needle of the Compass; We have sufficiently mark'd the said Line, & have erected a large Heap of Stones for the North east Corner of Enfield, Eastward of the great Mountains about One hundred Perch: The Select men & sundry Inhabitants both of Springfield & Enfield being present & assisting in said Service; Finished the second Day of Septem^r 1718.

Sign'd,
SAMUEL PATRIDGE
JOHN CHANDLER
SAMUEL PORTER

Read and

Voted that the Line lately run by Order of the General Assembly between Springfield & Enfield, & reported by the Committee appointed for that purpose, be Accepted & Ratified in manner following, That is to say, To begin at a white Oak Tree by the great River forty Rods to the South of Long Meadow Brook. as it empties it self into the River; & thence extending East one mile to a Pine Tree called the Mile Tree, as the same was run & settled in the Year 1684; & renewed often times since; And at the End of the said Mile the Dividing Line between the two Townships is to strike square off or Northward to the new Line; Reserving nevertheless the Property of all or any Lands granted & laid out in the whole of that Tract of Land which lies betwixt the old & new (or late) Line, unto such Grantees their Heirs & Assigns forever. [*Passed November 15.*¹

CHAPTER 98.

RESOLVE ALLOWING £40 FOR THE SUPPORT OF THE MINISTRY AT WIN-
TER HARBOUR, AND CREATING A TOWN THERE UPON CERTAIN TERMS.

Legislative
Records of the
Council, x.,
315.

Legislative
Records of the
Council, x.,
296. House
Journal, pp. 46,
49.

A PETITION of Humphrey Scammon & others of Saco,
In the House of Represent^{ves} Read &

Resolved that the sum of Forty Pounds be allowed & paid out of the publick Treasury towards the Support of a Minister at Winter Harbour for this Year, And that the the² Petitioners be invested with the Powers &c of a Town, according to the ancient Bounds thereof.

In Council; Read & Concur'd with the following Amendments; viz, Provided that this Order shall in no measure infringe the just Title of any Person to Lands there; And that fifty Families, at the least, more than now are, be admitted as soon as may be, & settle in a compact & defensible manner, according to the Direction of the Hon^{ble} John Wheelwright Esq^r & others the Committee for regulating the Eastern Settlements; And that the Name thereof be Biddeford: In the House of Represent^{ves} Read & Concur'd. [*Passed November 17.*

¹ In Legislative Records of the Council, x., 314, the date is given as 1750. The true date (1718) appears on p. 306, and in the State Library copy, Legislative Records of the Council, x., 341.

² *Sic.*

CHAPTER 99.

VOTE ACCEPTING THE REPORT ON JN^o ARMSTRONGS & ARCH. BOYDS
PETITIONS FOR LAYING OUT LANDS.

THE COMMITTEE appointed by the General Court to consider the several Petitions of John Armstrong & Archibald Boyd & their Associates,¹ & to report what they think proper for the Court to do thereon, do humbly offer their Opinion as follows; viz, That the Prayer of John Armstrong and others, so far as relates to Falmouth can not be granted, for that the Town of Falmouth hath been anciently inhabited, if not all the Lands there is a Propriety belonging to the said Inhabitants, & their Heirs & Assigns, But in Answer to the said Petition in general & the other of Archibald Boyd &c, The Committee think it reasonable that a suitable Tract of unappropriated Lands in the Eastern Parts in Quantity about six miles square be mark'd out by a Committee appointed for that Service, who shall lay out eighty House Lots in as regular & defensible a manner as may be, with further Accomodations of Land, to each House Lot, not exceeding One hundred Acres, to be disposed of by said Committee to such Petitioners or others who shall offer to settle the same; and when there shall be forty of said Lots settled, then the said Families to have the Privileges of a Town as to Ordering the prudential Affairs thereof, but not have the Disposal of the common Lands until the Number of Families shall arrive unto eighty; when the Inhabitants shall enjoy all Town Privileges compleatly; And the whole of said Tract, except Two hundred & fifty Acres for the Ministry, & Two hundred & fifty Acres for a School; Which shall be first laid out by the Committee afore said: By Order & in Behalf of the Comm^{tee} N BYFIELD

Legislative
Records of the
Council, x.,
318.

Legislative
Records of the
Council, x.,
309, 313, 314.
House Jour-
nal, p. 50.
Post, p. 636,
chap. 119.

Read & Accepted. [*Passed November 19.*]

CHAPTER 100.

ORDER ON THE PETITION OF EDW^d JOHNSON & OTHERS, CONFIRMING
TITLE TO LAND.

A PETITION of Edward Johnson of Woburn Grandson of Edward Johnson of said Town in behalf of himself & the other Heirs of the said Edward Johnson, Shewing that the Great & General Court at their Session in October 1717, in Answer to the Prayer of his Petition, were pleased to order & give him leave to take up Two hundred Acres of Land in some Place not granted, by a Surveyour & Chain men under Oath, & present the Plat so taken to the Court for Confirmation, That, pursuant to the said Order, a Surveyor & two Chain men under Oath have lately laid out & surveyed Two hundred Acres of Land, being near half a Mile from the North west Corner of Lancaster old Town, as will appear by the Plat thereof herewith humbly presented to this Hon^{ble} Court, And therefore Praying that the Court would please to confirm the said Two hundred Acres of Land as platted, to him & the rest of the Heirs of the said Edward Johnson Dec^d the same having been never yet taken up.

Legislative
Records of the
Council, x.,
319.

House Jour-
nal, p. 50.
Ante, p. 560,
chap. 105.

¹ For the settlement of Irish families, recently arrived, on lands to be "allotted to them near Falmouth." Armstrong's petition, Legislative Records of the Council, x., 309. Boyd asked the General Court for "a convenient Tract of their wast Lands, in such Place as they shall think fit." — *Ibid.*, 313.

[Read and]

Ordered that the Lands described & delineated in the Plat on the other side be allowed & confirmed as the Two hundred Acres granted to Cpt. Edward Johnson in the Year 1663, Provided it exceed not the Quantity of Two hundred Acres nor entrench upon any former Grant, nor is Part of either of two Tracts of Land beyond Groton, proposed to be reserved for Townships by a Vote of the House at their last Sessions. [*Passed November 19.*]

CHAPTER 101.

RESOLVE ALLOWING £170. 9. 8 TO BENJA GALLOP & PELETIAH WHITTAMORE.

Legislative
Records of the
Council, x.,
319.

House Jour-
nal, p. 50.

A PETITION of Peletiah Whittamore & Benjamin Gallop (as Administ^r to the Estate of Arthur Jeffry late of Boston Dec^d who with s^d Whittamore were joint Commissaries in the Expedition to Nova Scotia in the Year 1707, under the Command of Coll. John March) Shewing, that the Petitioner Whittamore & the said Jeffry, pursuant to the Trust reposed in them did with all Application & Diligence execute their Trust to the utmost of their Ability; Notwithstanding, by reason of great Number of Arms furnished the Soldiers, & afterwards by mutinous Rage & Desertions they were very great Losers, altho all the Pains & Care imaginable has been used to find out & recover what was possible from the Delinquents, That the Petitioners are in Advance & want the sum of One hundred & seventy Pounds nine shillings & eight pence, which they have paid & made good to the Commissary General out of their own Pockets, That upon the Petitioners Return from the said Expedition, the same was laid before the then Governour and Council, who were pleased to allow that the Representation was just, & accordingly refer'd the same to the Consideration of the General Assembly for Redress, that the Petitioner Whittamore & the said Jeffry did address the Great & General Assembly for Relief in the Year 1708; when their Petition was committed, but no Return was made by the Committee, That the Death of M^r Jeffry & the Difficulties which the Petitioner Whittamore has been under have hitherto prevented his Application to this Hon^{ble} Court, That the plain Matter of Fact will truly appear by the Papers herewith exhibited, the Muster Rolls & Accompts on File in the Commissarys Office; That the Petitioners saved and preserved of the Provisions & other Stores, especially of Powder, to a considerable Value; All which was returned into the Commissarys Office in Boston; That if they be allowed according to common Custom for Leakage & Wastage It will appear that the sum of Three hundred & thirteen Pounds & fifteen shillings is a proper Perquisite, And therefore Praying that this Court would allow the above said sum of One hundred & seventy Pounds & nine shillings & what they shall think proper for Wastage & Leakage of the said Provisions.

Read &

Resolved that the sum of One hundred & seventy Pounds nine shillings & eight pence be allowed & paid out of the publick Treasury to the Petitioner Peletiah Whittamore and the Administ^r of Arthur Jeffry Dec^d in equal Moyeties in full of all Services Losses & Accompts mentioned in their Petition. [*Passed November 19.*]

CHAPTER 102.

RESOLVE ALLOWING £20 TO DAN^L TUCKER.

A PETITION of Daniel Tucker lately a Sergeant at the Eastward Shewing that he is not yet cured of a Wound he received from the Indians in the Year 1712; by which Wound he is rendered unable to do any thing for his Support; & it is now two years since he has received any thing as an Allowance from the General Assembly in consideration of his wounds, save for his Diet & Lodging; for which he is very thankful; That his ill state of Body occasioned by the said Wounds (one of his Ribs being broken) necessitates him to resort to this Hon^{ble} Court for Relief; And therefore Praying that this Court would consider his Condition & grant him such further Supply as in their Wisdom & Compassion shall be thought meet & suitable.

Read &

Resolved that the sum of Twenty Pounds be allowed & paid out of the publick Treasury to Daniel Tucker the Petitioner for his present Relief. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
320.House Jour-
nal, p. 49.

CHAPTER 103.

RESOLVE ALLOWING £5 TO PETER THATCHER ESQ^R.

A PETITION of Peter Thatcher, Shewing that he was appointed by an Order of the General Court with others a Committee to repair to the Island of Nantucket & inquire of the Grievances complained of by several Indians of the said Island, That he went thither, with the other Persons, upon the said Service, in which he spent twelve days, And Praying that this Hon^{ble} Court would make him some fit Allowance for his Time & Service.

Read &

Resolved that the sum of Five Pounds be allowed & paid out of the publick Treasury to Peter Thatcher Esq^r the Petitioner in full for his Service & Expences mentioned in his Petition. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
320.House Jour-
nal, p. 50.
Ante, p. 494,
chap. 102.

CHAPTER 104.

ORDER DIRECTING THE COMM^{TEE} TO LAY OUT A NEW TOWN FOR THE PEOPLE FROM IRELAND.

In Council;

Ordered that John Wheelwright Joseph Hammond, Charles Frost, Lewis Bane, Abraham Prebble Esq^s & Cpt. John Leighton (the Committee for the Eastern Settlements) be a Committee fully empowered to lay out a Tract of Land for a Town, Agreeably to the Report of the Committee on the Petitions of Archibald Boyd &c and John Armstrong &c and to regulate the Settlement thereof: In the House of Representatives Read & Concur'd, The Committee to be paid for their Service by those that take up Lots:

In Council; Read & Concur'd. [*Passed November 20.*]

Legislative
Records of the
Council, x.,
321.House Jour-
nal, p. 51.
Ante, p. 627,
chap. 99.

CHAPTER 105.

ORDER ON THE PETITION OF ISA WINSLOW ESQ^R & ELISAB. BURTON
CONFIRMING TITLE TO LAND.Legislative
Records of the
Council, x.,
322.Maps and
Plans, cexliii.,
22. House
Journal, p. 51.

A PETITION of Isaac Winslow Esq^r & Elisabeth Burton Widow, Sister of the said Isaac Winslow, Shewing that they are justly entitled to Four hundred Acres of Land, to be laid out in some Part of the Countreys Lands in this Province, as may & shall appear more at large by the Records of this General Court; & that the Petitioners in Order to have the benefit of their said Grant, found out some of the Countreys ungranted Lands, & since got them surveyed & platted according to the Directions of the Law in that Case, And therefore Praying that their Plat or Plats of the said Four hundred Acres of Land herewith exhibited may be accepted, ratified & confirmed to the Petitioners, they having once already been at the Charge of Surveying & Platting the said Grant without any Effect because it might prejudice a new intended Township; which the Plat herewith exhibited cannot possibly do.

[Read and]

Ordered that the two Tracts of Land protracted & described in this Plat be allowed & confirmed as the Four hundred Acres of Land granted the 18th of October 1648 to the Heirs or Assigns of M^r Thomas Walgrove, Provided it exceed not the Quantity of Four hundred Acres nor entrench upon any former Grants, And the Owner or Owners of the said Land are allowed to purchase the Indian Right thereof, & of about One hundred & fifty Acres more being near thereto of an ancient Indian called George Miscoe, so that Josiah Chapin approve of & consent to the Purchase Consideration. [*Passed November 21.*]

CHAPTER 106.

VOTE FOR MAKING £5,000.

Legislative
Records of the
Council, x.,
325.Legislative
Records of the
Council, x.,
323. House
Journal, pp. 51,
53. Province
Laws, ii., 130.

THE VOTE of the House of Represent^{ves} That they Non Concur the Boards Acceptance of the Committees Report¹ relating to the Making Five thousand Pounds for Supply of the Treasury & insist on their former Vote (enter'd Novem^r 20,) with this Alteration; viz; That the Whole of the Fifteen thousand Pounds be applied to Exchanging of Bills signed with three Hands only (more than y^t Sum being still outstanding)

In Council; Read & concur'd. [*Passed November 25.*]

¹ The two houses having disagreed on the subject, a committee of conference had been appointed. The report of the committee, which was made on November 22, is what is referred to above. See Province Laws, ii., 130. The original order, passed in the House of Representatives, November 20, and now adopted by both houses, with the alteration above-mentioned, was as follows:—

“*Ordered* that the sum of Fifteen thousand Pounds of Bills of Credit on this Province be further & as speedily as may be made by the Committee that made the last Bills, Saving that M^r John White is added to the Committee in the room of the Hon^{ble} Elisha Hutchinson Esq^r Dec^d That the sum of Twelve thousand Pounds be made off of the highest Plate; & the sum of Two thousand seven hundred & fifty Pounds off of the Middle Plate; & Two hundred & fifty Pounds off of the lowest Plate; Who shall be paid for their Service after the same Rate the Committee were for the last they made; that they deliver them to the Treasurer, Taking his Receipt for the same; Ten thousand Pounds thereof to be towards exchanging the Bills signed with three Hands only, & Five thousand Pounds towards Supply of the Treasury; For which a Fund is to be provided before they be issued.”—Legislative Records of the Council, x., 321.

CHAPTER 107.

RESOLVE ON WATERTOWN & WESTON PETITION, INTERPRETING A GRANT TO MR. MAHEW.

Resolved that the Record of this Court of May 10. 1643, in the following Words, “That M^r Mahew is granted Three hundred Acres of Land in regard of his Charge about the Bridge by Watertown Mill, And the Bridge shall belong to the Countrey”, Intends not that the Countrey shall maintain the said Bridge, but only that it should be for the free Use of the Countrey. [*Passed November 25.*]

Legislative
Records of the
Council, x.,
325.

Legislative
Records of the
Council, ii., 39;
x., 322. House
Journal, p. 53.

CHAPTER 108.

ORDER DIRECTING THE COMMITTEE ON THE LINE BETWEEN WELLS AND BERWICK TO PERAMBULATE THOSE TOWNS.

A PETITION of James Grant Representative of the Town of Berwick, in behalf of the said Town, Setting forth that the General Court appointed a Committee in the Year 1711, to run the Bounds of Kittery; Which was done & Reported accordingly & Accepted by the Court; Which Line was run from a Place called Bakers Spring North North West; Afterwards, in the Year 1716, the Town of Wells by their Petition to this Hon^{ble} Court obtained a Committee to repair to Bakers Spring aforesaid, & to consider what Line the Town of Wells ought to run from thence; Which Committee reported in February 1716, That the Line from Bakers Spring ought to run North west & by West; whereby the Line comes in four Points upon Berwick, & reduces the said Town to about three or four Miles in Breadth, and makes the Town of Wells eleven or twelve miles wide And in as much as the said Town of Berwick are greatly hurt, & bordering on the other Side on the Governm^t of New Hampshire, they can not be enlarged that way; & That the Committee did not truly run that Line, but guessed at it; And therefore Praying that this Hon^{ble} Court would please to direct & empower Coll. Henry Somersby M^r Henry Clark & M^r Jonathan Wade (a Committee lately appointed to run the said Line) to perambulate the said Towns of Wells and Berwick, & report what they think most reasonable & equitable for the s^d Towns.

Legislative
Records of the
Council, x.,
327.

House Jour-
nal, p. 55.
Ante, p. 174,
chap. 6; p. 199,
chap. 73; p. 498,
chap. 115;
p. 540, chap. 54.

Read &

Ordered that the Prayer of this Petition be granted. [*Passed November 27.*]

CHAPTER 109.

RESOLVE ALLOWING £3 TO EXPERIENCE MAHEW.

A PETITION of Experience Mahew, Setting forth that he was directed by an Order of this Governm^t to go to Nantucket in Company with Peter Thatcher Esq^r & M^r Benjamin Haws in the Service of this Province, & that he accordingly went over thither, & transacted that Business; And Praying that the Hon^{ble} Court would allow him Five Pounds for his Time & Expence in the said Service according to his Accompt.

Legislative
Records of the
Council, x.,
328.

House Jour-
nal, p. 56.
Ante, p. 494,
chap. 102.

Read &

Resolved that the sum of Three Pounds be allowed & paid out of the publick Treasury to Experience Mahew the Accomptant in full of his Accompt. [*Passed November 28.*]

CHAPTER 110.

VOTE ACCEPTING THE AGREEMENT BETWEEN IPSWICH & CHEBACCO.

Legislative
Records of the
Council, x.,
331.

House Jour-
nal, pp. 56, 57.
Ante, p. 318,
chap. 106;
p. 454, chap.
162.

THE TOWN OF IPSWICH being served with a Copy of the Petition sent from the General Court with respect to the Lines of Chebacco Precinct, Bearing Date the 21st of Decem^r 1715, In Compliance with which, & to prevent any further Charge & Trouble to the said Precinct, The Town having chosen Samuel Appleton Esq^r & Major John Whipple, to treat with those Persons which said Precinct should appoint, to agree with them fully to settle the Lines of the said Precinct; and they having chosen, Lieuten^t Nath^l Goodhue & M^r Thomas Choat, They all have mutually agreed (the Town concurring therewith,) as follows; viz,

That the Bounds of Chebacco Precinct be to begin at the Head of the Brook called Choats Brook, so running to Castle Neck River, & so to the Sea; & also from the Head of said Brook to Marbles; Thence (Including Knights Farm, so called,) and to run on a strait Line from the Southerly Corner of said Knights Farm to the W Tree in Wrentham Line, & so on the South east on the Neighbouring Towns to the Sea; And that all the Inhabitants & their Estates within said Line, that now are or shall be hereafter, together with what Lands and Marshes they shall improve of their own in said Town (not included in the Hamlet Precinct) shall pay to the Ministry of Chebacco only; And what Lands are or shall be belonging to the rest of the Inhabitants of Ipswich (except the Hamlet) that lies only for Wood lands Pasture Plow Land or Meadow in said Precinct, not tenanted, shall not be rated to the Ministry of Chebacco, but only where the Occupiers dwell: In Witness whereof, We have hereunto set our Hands & Seals the first Day of March One thousand seven hundred & fifteen.

NATHAN^L GOODHUE
THOMAS CHOAT

SAM^L APPLETON
JOHN WHIPPLE

Memorandum: It is agreed by the Subscribers, That no Stock of Cattle that shall feed on their Lands in the Town nor in the Precinct shall be rated but where the Occupiers live.

At a legal Meeting of the Inhabitants of Ipswich March 8. Anno Dom 1715.

Voted that the foregoing Settlem^t of the Lines of Chebacco Precinct be confirmed, & that the Town Clerk record the same: Attest.

DAN^L ROGERS Clerk.

Read & Accepted, Provided that the Acceptance of this Settlem^t shall not be understood to make any Alteration in the Settlem^t made by this Court of the Hamlet Precinct in said Town. [*Passed December 1.*]

CHAPTER 111.

RESOLVE ALLOWING £10 TO JOHN SMALLPIECE.

A PETITION of John Smallpiece of Boston Inn holder, Shewing that the Petitioner about four years agoe had the Misfortune to be blown up with Powder, which took fire in the Impost Office in Boston, while the Petitioner was endeavouring to extinguish the Fire in the Ware house where the Office was then kept, so that he has been a Cripple ever since, & continues in an helpless Condition, that he has six Children to maintain that are very small, & that he has no other Way to support them but by Keeping a Tavern, & the Duty he pays for his Wines & other Liquors very much lessens his Gains; And for as much as he received his Hurt in the immediate Service of the Province, Praying that he may be remitted the Duty or Excise of all Wines & Strong Drink that he shall sell during his being an Inn holder.

Legislative
Records of the
Council, x.,
332.

House Jour-
nal, p. 56.

Read & Not granted; But

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury to John Smallpiece the Petitioner in full of what he may expect from this Court for the Service mentioned in the Petition. [*Passed December 2.*]

CHAPTER 112.

RESOLVE ALLOWING £5 FOR SAM^l WILLIAMS.

A PETITION of Samuel Williams of Malden, Shewing that the Petitioner in the Year 1710, was a private Soldier in the Company of Lieut. Coll. Ballantine in the Expedition to Port Royal & being on board the Ship Cesar Capt. Tay Master, they were unhappily cast away, at the Entrance of Port Royal Harbour, & many Persons drowned, that the Petitioner lost all he had with him, escaping only with Life, That after the Expedition was over, the Petitioner was drawn out & ordered to remain in the Garrison at Port Royal, & accordingly remained there for the space of fourteen Months, That such of the said Company as returned Home had an Allowance made them by the Hon^{ble} Court in consideration of the Losses they sustained by the said Ship wreck, And therefore Praying that he may be considered as his Fellow Sufferers have been.

Legislative
Records of the
Council, x.,
333.

House Jour-
nal, p. 58.

Read &

Resolved that the sum of Five Pounds be allowed & paid out of the publick Treasury to M^r Phineas Upham, to be by him improved for the Benefit of the Petitioner. [*Passed December 2.*]

CHAPTER 113.

RESOLVE ALLOWING £24. 5 TO WILLIAM TAILER ESQ. ON ACCT OF VIEWING OF PROVINCE LAND.

AN ACCOMPT of the Charge of the Committee appointed by this Court to view & plat a Township lying Westward of Groton, Amounting to the sum of £24. 10.

Legislative
Records of the
Council, x.,
333.

House Jour-
nal, p. 59.

Read &

Resolved that the sum of Twenty four Pounds & five shillings be allowed & paid out of the publick Treasury to the Hon^{ble} William Tailer Esq^r to discharge the said Accompt. [*Passed December 2.*]

CHAPTER 114.

RESOLVE FOR EMITTING £5,000 IN BILLS OF CREDIT, AND PROVIDING SECURITY.

Legislative
Records of the
Council, x.,
334.

House Jour-
nal, pp. 58, 59.
Province
Laws, ii., 131.

Resolved that the Treasurer be & hereby is impowered & directed to issue forth & emit the sum of Five Thousand Pounds of the Bills of publick Credit, that are or shall be received into the Treasury for Payment of the publick Debts of this Province, already contracted, for the Defence & Support of the Govern^t & the necessary Protection & Preservation of the Inhabitants of this Province, & for the Subsisting of Forts & Garrisons & Wages arising for their Service, & for the Payment of Grants, Salaries & Allowances, made or to be made by this Court; according to such Draughts as shall from time to time be made upon him by Warrant or Order of the Governor or Commander in Chief for the time being by & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the Value therein expressed equivalent to Money & shall be taken & accepted in all publick Payments at the Advance & after the Rate of Five per Cent. more;

And as a Fund & Security for the same, There be & hereby is granted unto his most Excellent Majesty for the Ends & Uses aforesaid a Tax of Five thousand Pounds, to be levied upon Polls & Estates Real & Personal within this Province, according to such Rules, & in such Proportion upon the several Towns & Districts within the same, as shall be agreed on & ordered by the Great and General Court or Assembly of this Province at their Session in May anno One thousand seven hundred & twenty three & paid into the Treasury on or before the last Day of December next after. [*Passed December 2.*]

CHAPTER 115.

ORDER APPOINTING A COMMITTEE FOR BURNING BILLS IN YE RECESS OF THE COURT.

Legislative
Records of the
Council, x.,
334.

House Jour-
nal, p. 59.

In the House of Represent^{ves}

Ordered that the Represent^{ves} of the towns of Boston, Charlestown & Roxbury, with such as the Hon^{ble} Board shall nominate, be a Committee, at any time (between this Session & the Session of this Court in May next) when the Treasurer shall have a Thousand Pounds or more of Bills in the Treasury, that are received in Exchange, or otherwise defaced & unfit for Use, upon his Application to them, to take an Account of the Number of each of the Sorts of the said Bills, & the Sum the whole amounts to, & give the Treasurer a Receipt for them, & burn the said Bills to Ashes, and make Report of their Doings to this Court, as often as there shall be Opportunity: Whose Receipt shall be a Discharge equal to what the said Bills would have been if they had continued in his Hands; In Council, Read and Concur'd, And the

Hon^{ble} Penn Townsend, John Clark, Thomas Hutchinson Thomas Fitch & Paul Dudley Esq^{rs} are joined with the Committee of the House on the Affair above. [*Passed December 2.*]

CHAPTER 116.

ORDER REFERRING TO THE COMMISS^{rs} OF THE £100,000 LOAN.

Ordered that the Accompts of the Commissioners for letting out the Hundred thousand Pounds Loan of Bills of Credit that are laid before this Court be refer'd to a further Inspection & Consideration at their Sessions in May next; And that the Commissioners for the Counties of Hampshire & Yorkshire that have neglected their Duty & have not exhibited their Accompts be strictly required then to present them; And that in the meantime, & at all times the said Commissioners of the several Counties are directed to be very careful to comply with the Directions of the Act whereby they are constituted, & particularly to use all proper Care & Caution, that the Security which they shall take for such Bills as they shall let out, be good & sufficient; And they are further to pay into the Treasury the Ballance of the Accompt of Interest in their hands as the Law directs: And It is further Directed &

Legislative
Records of the
Council, x.,
335.

House Jour-
nal, p. 60.
Province
Laws, li., 126.

Ordered that the Select men in any & every Town that shall make Apprizal of any Estate proposed to be mortgaged to the said Commissioners, shall be under Oath That they shall faithfully & according to their best Skill & Judgment make every such Apprizal that they shall make; which the said Commissioners are to be certified of before they let out any more Bills. [*Passed December 3.*]

CHAPTER 117.

RESOLVE ALLOWING CERTAIN SUMS ON MARY SAUNDERS'S ACCT.

THE ACCOMPT of Mary Saunders of Charge about the Light House.
[Read and]

Resolved that the sum of Five Pounds and fifteen shillings be allowed & paid out of the publick Treasury to Mary Saunders the sum of Seven Pounds nine shillings & six pence to John Chamberlain, the sum of Two Pounds twelve shillings to Michael McCloud, & the sum of One Pound twelve shillings to the Widow Bradock, in full of each of their Accompts. [*Passed December 3.*]

Legislative
Records of the
Council, x.,
335.

House Jour-
nal, p. 60.

CHAPTER 118.

RESOLVE ALLOWING £50 TO THE KEEPER OF THE LIGHT HOUSE.

Resolved that the Allowance for the Keeper of the Light house for the Year Currant be the sum of Fifty Pounds, to be paid Quarterly as it becomes due. [*Passed December 3.*]

Legislative
Records of the
Council, x.,
336.

Legislative
Records of the
Council, x.,
334. House
Journal, p. 59.

CHAPTER 119.

ORDER REFERRING FALMOUTH PETITION TO THE NEXT SESSION.

Legislative
Records of the
Council, x.,
336.

House Jour-
nal, p. 60.

A MEMORIAL of Samuel Moodey & John Smith, in behalf of the Town of Falmouth in Casco Bay, Shewing that notwithstanding the Report of the Committee appointed for the Regulation of the Settlement of the Eastern Plantations, referring to the said Town of Falmouth has been Accepted by the General Court in their present Session, & the Inhabitants of the said Town invested with the same Power to order the Affairs of the said Township, as other Towns, yet their regular Settlement is hindered & clog'd by reason, that the Claimers & Proprietors of Land have not taken due Care for the running the Lines & settling the Bounds of their Lands; so that they are utterly incapacitated for the Admitting of such as would gladly join with them in settling there, That they humbly conceive it necessary that a Constable & other Town Officers be appointed with all convenient Speed for the regular Managem^t of the prudential Affairs of the said Town, & particularly for the collecting of Money for the support of a Minister And further setting forth that there are now in the said Town about Three hundred Souls most of which are arrived from Ireland; of which not one Half have Provisions near sufficient to live upon over the Winter, & so poor as that they are not able to buy any, & none of the first Inhabitants so well furnished as that they are able to supply them; And humbly Praying that they may be further impowered to chuse such Town Officers as are needful, & may have Liberty to chuse a Representative the next Summer, & that the Secretary may be directed to send a Precept accordingly to the said Town, & that this Hon^{ble} Court would be pleased to consider the deplorable Circumstances of the said Place by reason of the great Number of poor Strangers arrived amongst them and take some speedy & effectual Care for their Supply

Read &

Ordered that this Petition be Refer'd to further Consideration at the Session of this Court in May next Saving that One hundred Bushels of Indian Meal be allowed & given to the Irish People mentioned in the Petition, to be paid for out of the publick Treasury, & that the [Treasurer be]¹ Directed to provide & forward the same & give Direction for the Distribution of the same. [*Passed December 3.*]

CHAPTER 120.

RESOLVE ALLOWING £600 TO THE GOVERN^r.

Legislative
Records of the
Council, x.,
337.

House Jour-
nal, p. 60.

Resolved that the Sum of Six hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esq^r Captain General & Governor in Chief of this his Majestys Province [for]² his Support in Managing the Affairs of the Government. [*Passed December 4.*]

¹ These words appear in the State Library copy, Legislative Records of the Council, x., 378.

² State Library copy, Legislative Records of the Council, x., 379.

CHAPTER 121.

RESOLVE ALLOWING £30 TO M^R JOHN WHITE.In the House of Represent^{ves}

Resolved that the sum of Thirty Pounds be further allowed & paid out of the publick Treasury to M^r John White Clerk of this House for his Service in the Year Currant.

In Council; Read & concur'd. [*Passed December 4.*]

Legislative
Records of the
Council, x.,
337.

House Jour-
nal, p. 61.

CHAPTER 122.

RESOLVE ALLOWING £50 TO M^R TREAS^R ALLEN.

Resolved that the sum of Fifty Pounds be allowed & paid out of the publick Treasury to M^r Jeremiah Allen, Treasurer in Consideration of his great & unusual Trouble in Changing the Bills of publick Credit signed with three Hands only for which he has been obliged to procure Help extraordinary & for his being serviceable to this Court in other Instances that Treasurers heretofore have not. [*Passed December 4.*]

Legislative
Records of the
Council, x.,
337.

House Jour-
nal, p. 59.

CHAPTER 123.

RESOLVE DIRECTING PAYMENT OF £300 STERL. TO M^R AGENT DUMMER.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three hundred Pounds Sterling, to be paid to M^r Jeremiah Dummer in London Agent for this Province, further to enable him to negotiate the Affairs thereof. [*Passed December 4.*]

Legislative
Records of the
Council, x.,
337.

House Jour-
nal, p. 61.

CHAPTER 124.

RESOLVE ALLOWING £20 TO M^R JN^O WHITE.

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r John White for his transcribing & preparing the Votes of the House for the Press the last Year, & the sum of Ten Pounds for the like Service this Year. [*Passed December 4.*]

Legislative
Records of the
Council, x.,
337.

House Jour-
nal, p. 61.

CHAPTER 125.

RESOLVE ALLOWING £27. 10 TO M^R JOHN FLAGG.

Resolved that the sum of Twenty seven Pounds & ten shillings be allowed & paid out of the publick Treasury to M^r John Flagg Door Keeper to his Excellency the Govern^r & this Court for his Service Half a Year ending the 26th Day of this Month. [*Passed December 4.*]

Legislative
Records of the
Council, x.,
338.

House Jour-
nal, p. 61.

CHAPTER 126.

RESOLVE ALLOWING £15 TO SAM^L TYLEY JOS. MARION BENJ^A ROLFE
JOHN GREEN.

Legislative
Records of the
Council, x.,
338.

House Jour-
nal, p. 62.

THE ACCOMPTS of Writing done by Joseph Marion, Benjamin Rolfe Samuel Tyley & John Green for the Service of the General Assembly ;
[Read and]

Resolved that the sum of Fifteen Pounds¹ be allowed & paid out of the publick Treasury to M^r Samuel Tyley to discharge his own & the annexed Accompts ; viz, Nine Pounds in full of his own Accompt, Two Pounds four shillings & six pence in full of M^r Joseph Marions Accompt, Three Pounds in full of M^r Benjamin Rolfes Accompt, & One Pound four shillings in full of M^r John Greens Accompt. [*Passed December 4.*]

CHAPTER 127.

RESOLVE ALLOWING £18 TO JAMES HALKERSTON.

Legislative
Records of the
Council, x.,
338.

House Jour-
nal, p. 62.

AN ACCOMPT of James Halkerston of Attendance Medicines &c for Serg^t Daniel Tucker wounded in the publick Service.

[Read and]

Resolved that the sum of Eighteen Pounds be allowed & paid out of the publick Treasury to James Halkerstone in full of the said Accompt. [*Passed December 4.*]

CHAPTER 128.

RESOLVE ALLOWING £90 TO JOSIAH WILLARD, & £40 FOR HIS EXTRAORDINARY SERVICE.

Legislative
Records of the
Council, x.,
338.

House Jour-
nal, p. 58.

A PETITION of Josiah Willard Secretary of this Province, Praying that this Hon^{ble} Court in their annual Allowance for Work done in his Office (beyond what he brings to Accompt, which is much larger than is generally apprehended) would consider the Dearness of all Necessaries of Life, which are now at double the Rate as formerly ; And for as much as he is obliged by his Orders from the Right Hon^{ble} the Lords Commissioners for Trade & Plantations to transmit Copies of all the Transactions of the Governm^t (which is a Work that costs him much Labour & Trouble) that he may be allowed to carry the same to the Accompt of this Province ; And Praying from the Honour & Justice of this Court that his Support may be proportioned to the important Trust of his Office & the laborious Application necessary to discharge it ; And that he may be considered for the Assistance he has been & must still be forced to provide, which will ly very heavy upon him if it must be at his own Charge.

[Read and]

Resolved that the sum of Ninety Pounds be allowed & paid out of the publick Treasury to Josiah Willard Esq^r the Petitioner for this Year, & a further Addition of Forty Pounds for his extraordinary Service. [*Passed December 4.*]

¹ The House Journal reads, “£15. 10. 6.”

CHAPTER 129.

ORDER CONFIRMING TO JOSEPH BUCKMINSTER A PLAT OF WHITEHALL FARM.

WHEREAS the General Court at their Sessions in May last, ordered me the Subscriber & Chainmen under Oath, to measure & lay out Three hu[n]dred Acres of Land to Coll. Joseph Buckminster at a Place called Whitehall in the Township of Hopkinton at the same Place & Figure as near as may be as M^r. Joseph Sherman laid it out formerly, & also ordered that the Trustees of Hopkinton should be notified of the Time when the Work shall be done Pursuant to the said, Order, Having given Notice to the Trustees afore said, On the sixth Day of August last past, I met with the said Coll. Joseph Buckminster, the Hon^{ble} William Tailer, the Hon^{ble} John Leveret, & the Hon^{ble} Jonathan Belcher Esq^{rs} at the Place called Whitehall Farm; where said Trustees desired Coll. Buckminster to shew the Deed, he gave to Wood & Allen, of that Farm; which he did; And the said Deed mentioned several Trees as Boundaries; but they did not agree with M^r Shermans Plat of that Land: Whereupon the Trustees offered to Coll. Buckminster that he should take the Three hundred Acres of Land, where they had builded their Houses planted their Fields & boxed many Pine Trees; but Coll. Buckminster refused, saying that he would have it laid according to the Courts Order. Whereupon I proceeded according to my Instructions, & laid out Three hundred Acres of Land in the same Figure, & as near as the Courts Order would allow in the same Place, where M^r Sherman had formerly laid it out; Which Figure or Plat is herewith presented. In laying out the Land above said, We left out a very considerable Part of the Field that was fenced in, also one Dwelling house one Barn, & a great Quantity of Pine Trees that were boxed.

Boston Decem^r 3. 1718.SAM^l THAXTER. .

Ordered that the Land protracted & delineated in the Plat on the other Side be allowed & confirmed as the Three hundred Acres of Land granted to M^r Mahew in the Year 1643, Provided it intrench upon no former Grant. [*Passed December 4.*

Legislative
Records of the
Council, x.,
338.

House Jour-
nal, p. 61.
Ante, p. 598,
chap. 26.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE ELEVENTH DAY OF MARCH, A.D. 1718.

CHAPTER 130.

VOTE FOR RAISING A COMPANY FOR THE EASTERN FRONTIERS.

Legislative
Records of the
Council, x.,
341.

IN CONSIDERATION of that Paragraph of his Excellency the Governors Speech, which relates to the Insults of the Eastern Indians ;

Voted that his Excellency the Governor be requested to send forth sixty able bodied Men acquainted with the Woods, (if to be had) under a suitable experienced Commander, with other Inferior Officers, to be a marching Force upon the Frontiers either together, or in Parties ; as shall be found most serviceable, to visit, encourage & cover the new Settlements there, to improve their Time constantly as much as possible, in marching from one Settlement to an other, & into the Woods without them ; to discover the Motions, Designs & Dispositions of the Indians, Keeping a Journal of each Days Proceedings (A Copy whereof to be laid before this Court,) to be kept out to the End of the Sessions of this Court in May next ; Unless his Excellency & the Council shall have such Advice in the mean time, as shall make it safe to draw them off sooner ; And that his Excellency the Governor be further humbly requested to direct the Governm^t of New Hampshire to raise & join their full Quota of Men with those of this Province for the aforesaid Service ; And that his Excellency will be pleased to take Care that the Indians who have behaved them selves insolently & abusively to his Majestys Subjects, may be sent for, called to an Account & reprimanded for such their Behaviour. [*Passed March 12.*]

CHAPTER 131.

ORDER ON THE PETITION OF LYN NEW PRECINCT IN REGARD TO
MINISTERIAL CHARGES.

Legislative
Records of the
Council, x.,
342.

Ante, p. 311,
chap. 88.

A PETITION of the Inhabitants of Lyn Precinct Shewing that whereas the General Court did, in Answer to their Petition, at their Session in October 1713, grant them to be set off from the other Part of the Town of Lyn as a separate & distinct Precinct, & established them with all Powers & Privileges granted to such ; Nevertheless to continue to pay to the Support of the Ministry in the other Part of the said Town till they had built a Meeting house & obtained a learned & orthodox Minister, to preach constantly in the said Meeting house ; They have accordingly built a Meeting house & had such Preaching among them for more than two years last past ; Notwithstanding which, the Town

has continued to tax them towards the Support of the Ministry in the old Parish ; And thô they have petitioned the Town to be released from that Burthen the same is still imposed upon them ; And therefore Praying this Court to make an Order to exempt them from paying any thing towards the Support of the Ministry in the other Part of the said Town.

Read &

Ordered that the Prayer of the Petition be so far granted, that the Inhabitants of the said Precinct be exempted for the future from paying to the Support of the Ministry in the other Part of the Town of Lyn, they having complied with the Order of the Court for setting them off a distinct Precinct, It being also supposed & directed that the said Precinct continue to support constantly an orthodox Minister there. [*Passed March 12.*]

RESOLVES, ORDERS, VOTES,
ETC.

PASSED 1719-20.

LEGISLATIVE LIST

FOR

1719-20.

HIS EXCELLENCY SAMUEL SHUTE,
CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,
SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

THE HON. WILLIAM DUMMER	}	ESQRS.
WILLIAM TAILER		
SAMUEL SEWALL		
PENN TOWNSEND		
JOHN APPLETON		
JOHN HIGGINSON		
SAMUEL PATRIDGE		
EDWARD BROMFIELD		
NATHANIEL NORDEN		

BENJAMIN LYNDE	}	ESQRS.
JOHN CLARK		
ADDINGTON DAVENPORT		
THOMAS HUTCHINSON		
SAMUEL BROWN		
THOMAS FITCH		
JONATHAN BELCHER		
JONATHAN DOWSE		
SAMUEL THAXTER		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plymouth;

NATHANIEL BYFIELD	}	ESQRS.
ISAAC WINSLOW		

JOHN CUSHING	}	ESQRS.
JOHN OTIS		

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayn;

JOHN WHEELWRIGHT, JOSEPH HAMMOND, & CHARLES FROST, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

PAUL DUDLEY, ESQ.

¹ See Legislative Records of the Council, x., 344-346.

For the Province, at large: —

NATHANIEL PAYNE & EDMUND QUINCY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 27, 1719 to April 2, 1719-20.

MR. JOHN BURRILL, SPEAKER.

COUNTY OF SUFFOLK.

<i>Boston</i> , . . .	Elisha Cook, Esq.,
	Oliver Noyes, Esq.,
	Mr. Isaiah Tay,
	Mr. William Clark.
<i>Roxbury</i> , . . .	William Dudley, Esq.
<i>Dorchester</i> , . .	Major Thomas Tilestone.
<i>Hingham</i> , . . .	Col. Samuel Thaxter.
<i>Braintree</i> , . . .	Major John Quincy.
<i>Dedham</i> , . . .	Mr. Samuel Guild.
<i>Medfield</i> , . . .	Mr. Henry Adams.
<i>Weymouth</i> , . . .	Mr. John Torrey.
<i>Milton</i> , . . .	Mr. Ephraim Tucker.
<i>Wrentham</i> , . . .	Mr. Thomas Brown.
<i>Mendon</i> , . . .	Josiah Chapin, Esq.
<i>Woodstock</i> , . .	Mr. Samuel Payne.

COUNTY OF ESSEX.

<i>Salem</i> , . . .	Mr. Timothy Lindall,
	Capt. John Gardner.
<i>Ipswich</i> , . . .	Capt. Matthew Whipple,
	Mr. Michael Farley.
<i>Newbury</i> , . . .	Capt. Richard Kent,
	Mr. Nathaniel Coffin.
<i>Marblehead</i> , . .	John Cawley, Esq.
<i>Lyn</i> , . . .	John Burrill, Esq.
<i>Andover</i> , . . .	Mr. Nehemiah Abbot.
<i>Bradford</i> , . . .	Mr. Thomas Kemball.
<i>Beverly</i> , . . .	Mr. Samuel Balch.
<i>Wenham</i> , . . .	Mr. William Rogers.
<i>Rowley</i> , . . .	Mr. Joseph Jewett.
<i>Salisbury</i> , . . .	Mr. John Wadley.
<i>Haverhill</i> , . . .	John White, Esq.
<i>Amesbury</i> , . . .	Mr. Joseph Brown.
<i>Glocester</i> , . . .	Mr. Nathaniel Coit.
<i>Topsfield</i> , . . .	Mr. James Perkins.
<i>Boxford</i> , . . .	Mr. Thomas Peaslee.

COUNTY OF MIDDLESEX.

<i>Cambridge</i> , . .	Mr. Andrew Boardman.
<i>Charlestown</i> , .	Charles Chambers, Esq.,
	John Foye, Esq.

COUNTY OF MIDDLESEX — *Concluded.*

<i>Watertown</i> , . .	Mr. Samuel Sternes.
<i>Newtown</i> , . . .	Mr. Ebenezer Stone.
<i>Concord</i> , . . .	Mr. Benjamin Whittamore.
<i>Woburn</i> , . . .	Mr. Samuel Walker.
<i>Reading</i> , . . .	Mr. John Brown.
<i>Sudbury</i> , . . .	Mr. Peter Haynes.
<i>Marlborough</i> , .	Thomas How, Esq.
<i>Malden</i> , . . .	Mr. Jacob Wilson.
<i>Billerica</i> , . . .	Oliver Whiting, Esq.
<i>Sherburn</i> , . . .	Mr. William Rider.
<i>Groton</i> , . . .	Capt. John Shipley.
<i>Lancaster</i> , . . .	Mr. John Houghton.
<i>Medford</i> , . . .	Mr. Thomas Willis.
<i>Frammingham</i> , .	Joseph Buckminster, Esq.
<i>Lexington</i> , . .	Mr. Thomas Blodget.
<i>Weston</i> , . . .	Francis Fulham, Esq.

COUNTY OF HAMPSHIRE.

<i>Springfield</i> , .	Luke Hitchcock.
<i>Northampton</i> , .	John Stoddard, Esq.
<i>Hadley</i> , . . .	Mr. John Narsh. ¹
<i>Hatfield</i> , . . .	Mr. John Dickerson.
<i>Suffield</i> , . . .	Mr. John Austin.
<i>Westfield</i> , . . .	John Ashley, Esq.
<i>Deerfield</i> , . . .	Mr. Thomas Wells.
<i>Brookfield</i> , . .	Capt. Thomas Baker.

COUNTY OF PLYMOUTH.

<i>Plymouth</i> , . . .	Mr. John Foster.
<i>Scituate</i> , . . .	Mr. John Barker.
<i>Marshfield</i> , . .	Isaac Little, Esq.
<i>Duxbury</i> , . . .	Mr. Samuel Seaberry.
<i>Rochester</i> , . . .	Mr. John Hammond.
<i>Pembroke</i> , . . .	Mr. Thomas Barker.
<i>Plimpton</i> , . . .	Mr. Benoni Lucas.
<i>Bridgewater</i> , .	Mr. Richard Davenport.
<i>Middleboro</i> , . .	Capt. Jacob Thomson.

COUNTY OF BARNSTABLE.

<i>Barnstable</i> , . .	Joseph Lothrop, Esq.
<i>Eastham</i> , . . .	Mr. John Payne.

¹ *Sic* for Nash.

COUNTY OF BARNSTABLE — *Concluded.*

Sandwich, . . . John Chipman.
Yarmouth,¹ . . Mr. John Hedge.
Harwich, . . . Mr. William Myrick.
Truroe, . . . Thomas Payne, Esq.

COUNTY OF BRISTOL.

Bristol, . . . Capt. William Throop.
Taunton, . . . Seth Williams, Esq.
Dartmouth, . . Mr. Jonathan Delaune.
Rehoboth, . . Mr. Daniel Carpenter.
Little Compton, Thomas Church, Esq.
Swanzey, . . . Mr. John Thomas.
Tiverton, . . . Mr. Gershom Woodall.
Attleborough, . Mr. Jeremiah Whipple.
Dighton, . . . Mr. Ebenezer Pitts.
Norton, . . . Mr. Nicholas White.

COUNTY OF BRISTOL — *Concluded.*

Barrington, . Mr. Zechariah Bignall.
Freetown, . . Mr. Samuel Forman.

COUNTY OF YORK.

York, Abraham Prebble, Esq.
Kittery, . . . Charles Frost, Esq.
Wells, . . . Mr. Joseph Hill.
Falmouth, . . Mr. William Scales.
Berwick, . . Samuel Plaisted, Esq.
Biddeford, . . Mr. Humphrey Scammon.

DUKES COUNTY.

Edgar Town, . Mr. John Norton.
Chilmark, . . Payne Mahew, Esq.

ISLAND OF NANTUCKET.

Sherburn, . . George Bunker, Esq.

¹ "Harwich," by mistake, in the Secretary's copy of Legislative Records of the Council. The right name, "Yarmouth," appears in the State Library copy, Legislative Records of the Council, x., 389.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE TWENTY-SEVENTH DAY OF MAY, A.D. 1719.

CHAPTER 1.

ORDER ALLOWING BARNSTABLE COUNTY TREAS^{RS} ACC^T.

AN ACCOMPT of Ebenezer Lewis Treasurer of the County of Barnstable from April 1718, to April 3. 1719; Amounting to the sum of £60. 17. 5.

Read &

Ordered that the said Accompt be allowed. [*Passed May 29.*]

Legislative
Records of the
Council, x.,
348.

House Jour-
nal, p. 4.

CHAPTER 2.

RESOLVE ACCEPTING THE COMM^{TEES} REPORT OF BURNING BILLS OF CREDIT.

IN OBEDIENCE to an Order of the Great & General Court, at a Session begun & held in October last appointing us the Subscribers a Committee to take an Accompt of Province Bills of Credit of three Hands & of those that are torn & defaced &c, We have accordingly received of M^r Treasurer Allen the several Bills of the Denomination in the Accompt on the other side, Amounting to the sum of Eight thousand five hundred & twenty one Pounds ten shillings & nine pence, & caused them all to be burnt to Ashes; Whereof £7,047. 14. 3 Neet Bills of the above sum, Which Bills were signed with three Names only, being Part of the £15,000 granted at the Session in October last, for exchanging the Province Bills of three Names; And the remaining sum of £1,473. 16. 6 Neet Bills that were received of Addington Davenport, Thomas & Edward Hutchinson Esq^{rs} & M^r John White, Trustees for the £50,000 Loan; Making in the Whole, Eight thousand five hundred twenty one¹ ten shillings & nine pence: As Witness our Hands this 14th Day of April 1719.

Legislative
Records of the
Council, x.,
348.

House Jour-
nal, p. 4.
Ante, p. 620,
chap. 85; p. 625,
chap. 95.

CHARLES CHAMBERS
JOHN FOYE
W^M DUDLEY.
EDW^D HUTCHINSON
HAB. SAVAGE
ISAIAH TAY

JOS. WADSWORTH
JOHN CLARK
THO. HUTCHINSON
THOMAS FITCH
PAUL DUDLEY

Resolved that this Report be Accepted & that the Treasurer be discharged accordingly. [*Passed May 29.*]

¹ Twenty one *pounds* in State Library copy, Legislative Records of the Council, x., 395.

CHAPTER 3.

ORDER FOR EXCHANGING BILLS OF THIS PROVINCE & CONNECT^t.

Legislative
Records of the
Council, x.,
349.

House Jour-
nal, p. 4.

Ordered that a sum of the Bills of Credit on this Province, not exceeding a Thousand Pounds be sent up & committed to the Care of a skilful & faithful Person in the Colony of Connecticut to be exchanged for such true Bills of this Province as are called in & forbidden to have further Currency, or torn & unserviceable; Provided that the Governm^t of the said Colony take Care at the same time, that an Exchange be made in the Town of Boston of their Bills of publick Credit that are in the same Circumstances; That the Hon^{ble} William Pitkin Esq^r be requested to accept & undertake the said Service; That Care be taken to instruct & inform him that he may distinguish the true Bills from those that are counterfeit. [*Passed May 29.*]

CHAPTER 4.

ORDER ALLOWING THE ACC^t OF THE CO. TREAS^r OF MIDDLESEX.

Legislative
Records of the
Council, x.,
350.

House Jour-
nal, p. 4.

AN ACCOMPT of Daniel Russel Treasurer of the County of Middlesex from May 1717, to Decem^r 9. 1718, Amounting to the sum of £138. 13. 11.

Read &

Ordered that the said Accompt be Allowed. [*Passed May 30.*]

CHAPTER 5.

ORDER ALLOWING THE ACC^t OF THE CO. TREAS^r OF BRISTOL.

Legislative
Records of the
Council, x.,
350.

House Jour-
nal, p. 4.

AN ACCOMPT of Nathaniel Payne Esq^r Treasurer of the County of Bristol from Octob^r 1717, to April 1719, Amounting to the sum of £120. 8.

[Read and]

Ordered that the said Accompt be Allowed. [*Passed May 30.*]

CHAPTER 6.

ORDER ALLOWING THE ACC^t OF THE CO. TREAS^r OF YORK.

Legislative
Records of the
Council, x.,
350.

House Jour-
nal, p. 4.

AN ACCOMPT of Joseph Hammond Esq^r Treasurer of the County of York from April 1. 1718, to April 1. 1719; Amounting to the sum of £98. 4. 7.

Read &

Ordered that this Accompt be Allowed. [*Passed May 30.*]

CHAPTER 7.

ORDER ON THE MEM^o OF THE OVERSEERS OF HARVARD COLLEGE
ABOUT THE ADDITIONAL BUILDING.

Ordered that the additional Brick Building to Harvard College, for the suitable Reception, & Accomodation of the Tutors & Students there, shall extend in Length One hundred Feet; That Two thousand Pounds, over & above the Fifteen hundred Pounds already granted, be allowed & paid out of the publick Treasury to the Committee appointed for the effecting the said Building: That the Rent paid by the Students that shall be entertained in the said Building shall not exceed Twenty shillings per Man per Annum; And that the said Rents from time to time shall be improved for no other Use than for the Repairs of the said Building, unless by the Direction of this Court. [*Passed May 30.*]

Legislative
Records of the
Council, x.,
350.

House Jour-
nal, p. 4.
Ante, p. 561,
chap. 109;
p. 610, chap. 56.

CHAPTER 8.

ORDER OF HEARING ON JN^o YATES & NATH^l GOULDS PETITION &c,
PRAYING TO BE ANNEXED TO EASTHAM.

A PETITION of John Yates & Nathaniel Gould in behalf of themselves & other Inhabitants of the Eastermost End of the Town of Harwich & bordering on the Town of Eastham, Shewing that whereas the Petition^{rs} are by the Providence of God seated at the distance of seven miles from the Meeting house in the Town of Harwich, so that they can not without great difficulty attend on the publick Worship of God with their Families, but have been under a Necessity of going to Eastham Meeting house with their Families, for many years past, & several of the Petitioners have been for a long time Members of the Church at Eastham, And whereas there is a House lately erected for the Worship of God in the Southern Part of the said Town of Eastham; which is but two miles distant from the most remote of the Petitioners, & much nearer to some, the same will be very comodious for them; And they think it highly reasonable that they should help to support the Worship of God there where they give their Attendance; & that altho the People of Eastham have been so kind as to allow them the Benefit of their Meeting house withouse¹ any such Consideration, they can not think it reasonable to desire any such Favour any longer, especially seeing they are now likely to be put to a very great Charge in building two Meeting houses & supporting two Ministers; but then it will be very hard & heavy upon them to bear their full proportion towards the Support of the publick Worship of God in their own Town of Harwich, where they can have no Benefit from it, & yet pay their Part of the said Charge at Eastham; that they have already petitioned the Town of Harwich, to discharge them from the Expence of supporting the Minister there, but without success; That they live within such Boundaries, that the Privileges do equally belong to both Towns, & the Lands do all belong either to the Petitioners, the Indians or Proprietors dwelling in Eastham, & the whole is by many thought of Right to belong to the Town of Eastham: And humbly Praying that the Hon^{ble} Court would take the Premisses into serious Consideration, & set them off from the Township of Harwich & annex them to Eastham, That so the Line may begin at a Pine Tree or Stump near the Head of great Namasket Marsh

Legislative
Records of the
Council, x.,
352, 354.

House Jour-
nal, p. 4.

at the parting Line between the Town of Eastham, & the Town of Harwich Thence to run South Eastward to the Pond called by the Indians, Pompaneas; from thence to run to the Easterly End of said Pond; so running round the Easterly End of said Pond to a Pine Tree mark'd at the South west Corner thereof; & from thence running on a streight Line southerly to a Rock at the Water side mark'd, T a little to the Westward of a Point that lies opposite to the Westernmost Point of Chequesset Neck, & so home to the Eastham Bounds on the Eastern Part, or otherwise as the Hon^{ble} Court shall in their Wisdom & Goodness see meet:

Read &

Ordered that the Petitioners serve the Town of Harwich with a Copy of this Petition, that they may be heard before this Court on the first Fryday of the Session in Autumn next, If they have ought to object why the Prayer thereof should not be granted. [*Passed June 3.*]

CHAPTER 9.

ORDER REFERRING TO JAMES MARSHAL, A SOLDIER.

Legislative
Records of the
Council, x.,
354.

House Jour-
nal, p. 6.

A MEMORIAL of William Dummer Esq^r Commander of his Majestys Castle William Setting forth that whereas this Hon^{ble} Court hath always shewn a peculiar Regard to such Soldiers as have served this Province faithfully, that when disabled by Wounds or the Fatigues of long Service, have taken Care for their Subsistence; the Memorialist humbly recommends to the Charity of this Court one James Marshall, who hath constantly served the Province as a Soldier both here & on the Frontiers, upwards of twenty years, besides his Service in the Narraganset War; but now thrô Age & other Infirmities is rendered wholly incapable of supporting him self; And that the Memorialist hath prevailed on the Overseers of the poor in Boston to take Care of him for such time as his Case shall be laid before this Hon^{ble} Court, & doubts not of their wonted Goodness toward such as spend their time & strength in their Service.

Read &

Ordered that James Marshall within mentioned be returned to the Castle & there maintained at the publick Charge. [*Passed June 3.*]

CHAPTER 10.

ORDER ABOUT EXCHANGING BILLS OF THREE HANDS ONLY.

Legislative
Records of the
Council, x.,
355.

House Jour-
nal, p. 5.
Ante, p. 625,
chap. 95; p. 630,
chap. 106.

WHEREAS it appears by the Treasurers Accompts that little more than Seven thousand Pounds of the Fifteen thousand Pounds of the Bills of publick Credit sign'd with three Hands only (for the Exchanging whereof Provision was made at the last Fall Session) are brought in & exchanged; And it being complained that there is a considerable sum of the said Bills in divers Hands which are of no Use to them;

Ordered that the Treasurer be impowered & directed to exchange the said Bills for & during the Term of three months next coming, & that the said Bills be accepted & taken in all publick Payments, for & during the space of six months & no longer. [*Passed June 3.*]

CHAPTER 11.

VOTE ACCEPTING THE REPORT FOR SURVEYING LANDS BETWEEN
NORTHFIELD & MERRIMAC RIVER.

THE COMMITTEE appointed by an Order of this Court (as enter'd May 29. 1719,) to consider what will be proper to be done relating to a better Discovery of the ungranted Lands on the Frontiers &c made the following Report; viz,

In Obedience to the Order of the General Court, The Committee are of Opinion, That forthwith a proper Survey be made of the Land from Northfield to Merrimack River, where Sohegan River falls into the same, or thereabouts, in order to settle a defensible Line of Towns in a regular manner, if the Land will admit of it; Which will reduce the Frontiers of the Province on that side to about forty miles; (which is now thought to be One hundred & forty,) & consequently will be of great Advantage to the Province in case of a Rupture with the Indians, & an Enlargem^t of the Husbandry.

Sign'd Per Order of the Comm^{tee}W^m TAILERRead and Accepted. [*Passed June 3.*]Legislative
Records of the
Council, x.,
355.Legislative
Records of the
Council, x.,
348. House
Journal, p. 6.

CHAPTER 12.

ORDER ACCEPTING THE REPORT ABOUT THE LINE BETWEEN WELLS
& BERWICK.

WE THE SUBSCRIBERS being appointed by the General Court held at Boston Octob^r 29. 1718, to perambulate the Towns of Berwick & Wells & make Report thereon what Line might be judged most reasonable & equitable for said Towns; Pursuant to said Order, Notice being first given to the Selectmen of Wells & Berwick, On the twenty third of Decem^r 1718, we met with the Select Men of each Town, & Perusing the Writings relating to the Bounds of both Towns, We find that the Place which is known by the Name of Bakers Rock & Spring is the settled Bounds between Wells & Kittery (now Berwick) by a Committee of both Towns in the Year 1658; And we find that the General Court did settle the Bounds of Kittery (now Berwick) at the Rock & Spring in the Year 1711, And perambulating the Towns of Wells & Berwick We find it about six Miles & an half from the Rock & Spring to a mark'd Tree near Bald Head so called; And We are of Opinion, If the Line be extended above said Rock & Spring upon a North west & by West Course (which was the Course the former Committee directed to) It would run immediately within the Bounds that the General Court had already settled to Kittery (now Berwick) And therefore We judge it most reasonable & equitable that the Bounds of Berwick should stand as it has been already settled, & that Wells (bordering on the Province Lands,) should be enlarged an other way; Which may be done without Prejudice to any other Town.

Legislative
Records of the
Council, x.,
355.House Jour-
nal, p. 6.
Ante, p. 631,
chap. 108.HEN. SOMERSBY,
HEN. CLARK,
JON^a WADE.

Read &

Ordered that the Report be Accepted so far as relates to the Settlement of the Line betwixt Berwick & Wells. [*Passed June 3.*]

CHAPTER 13.

ORDER OF HEARING ON THE PETITION OF THE EAST PARISH IN SALEM
IN REGARD TO MINISTERIAL CHARGES.

Legislative
Records of the
Council, x.,
356.

House Jour-
nal, p. 6.

A PETITION of John Turner, William Pickering, Philip English & Jacob Manning, chosen to address this Hon^{ble} Court for Relief & Assistance for & on behalf of them selves & Dwellings ly at the Eastern End of the Town of Salem Shewing that whereas the Petitioners for many years past have been very desirous to have a Meeting House nigh them, being sensible that it would be for the Promotion of Religion & for the Convenience of many that live remote from the first Parish Meeting house; And whereas they have the last Year erected & finished a convenient House for that End, & have had the Word of God dispensed to them every Lords Day for a year past, & have also ordained a Minister, & have applied to their Neighbours of the first Parish Church in Salem to set them off, & to settle a Line betwixt them, for the better enabling them to raise y^e needful sums on the Inhabitants for the Support of the Ministry, & other contingent Charges, their Neighbours of the first Parish have seen Cause to set them off so little a Proportion, as is very discouraging, insomuch as, according to the Parish Rate for several years last past, the District set off to the Petitioners have been rated but one Quarter Part of the whole; And therefore Praying that this Hon^{ble} Court would take the Matter into their serious Consideration, & grant them such a Proportion as will be sufficient to defray the necessary Charges of their Parish, & make some reasonable Enlargem^t of the supposed District, that the Divisional Line may run more to the Westward, or that the Ministers of both Parishes may be maintained by a general Rate of the said Parishes, or that some other Expedient may be found out to answer the pious & laudable Ends of the Petitioners, that the same may not be frustrated & they remain under the utmost Discouragements.

Read &

Ordered that the Petitioners serve the first Parish in the Town of Salem with a Copy of this Petition, in Order to a Hearing being had thereon before this Court on the second Fryday of their Sessions in Autumn next, unless the Parties concerned shall agree & compromise their Differences before that time. [*Passed June 3.*]

CHAPTER 14.

ORDER FOR SURVEYING LAND BETWEEN NORHF^d & MERRIMACK
RIVER.

Legislative
Records of the
Council, x.,
357.

House Jour-
nal, p. 6.
Ante, p. 653,
chap. 11.

THE REPORT of the Committee (Enter'd yesterday) for surveying the Lands between Northfield & Connecticut River;

Read &

Ordered that John Stoddard Esq^r Cpt. John Shipley & Francis Fulham Esq^r be a Committee to take Care to have the Survey above mentioned performed, Improving a skilful Surveyour & Chain men to effect the same; & make Report of their Doings to this Court at their Session in Autumn next. [*Passed June 4.*]

CHAPTER 15.

ORDER ALLOWING CPT. ZECH^A TUTHILL £42. 18.

Ordered that the sum of Forty two Pounds eighteen shillings be allowed & paid out of the publick Treasury to Cpt. Zechariah Tut-hill to reimburse him what he has been in Advance for victualling the Garrison at Castle William the Year past; And in Consideration of the excessive Price of all Sorts of Provisions, that he be allowed Six shillings per Week per Man for subsisting the Garrison at Castle Wil-liam for the Year ensuing. [*Passed June 4.*]

Legislative
Records of the
Council, x.,
358.

House Jour-
nal, p. 5.

CHAPTER 16.

RESOLVE ALLOWING £6 TO CPT. BILLINGS FOR THE SUPPORT OF ON-
CUNCANOG AN INDIAN.

Resolved that the Sum of Six Pounds be allowed & paid out of the publick Treasury to John Billing the Petitioner to be by him improved according to his best Discretion for the Relief & Support of Thomas Oncuncanog the blind Indian mentioned in his Petition. [*Passed June 5.*]

Legislative
Records of the
Council, x.,
359.

House Jour-
nal, p. 8.

CHAPTER 17.

VOTE ACCEPTING THE COMMITTEES REPORT OF RUNNING THE LINE ON
RHODE ISLAND COLONY.

WE THE SUBSCRIBERS, being of the Committee appointed & impowered by the Govern^{ts} of the Province of the Massachusetts Bay & the Colony of Rhode Island & Providence Plantation, for settling the East & West Line between the said Governments; By Vertue of the Agreement of the Major Part of the said Committee, at their Meeting at Rehoboth, on the 22^d of October last past; At which time the said Line was fully settled & agreed; & by them directed to be by us run. Having met at the Stake of Nathaniel Woodward & Solomon Saffry on Wrentham Plain the twelfth Day of May Anno Domini 1719 in the Morning, & computed the Course of the said agreed Line, & found it to be by the Compass by which we ran West, two Degrees & twenty four Minutes South according to the Variation of Nine Degrees from the Magnet; We proceeded to run said Line towards Patucket River; & proved our Course by measuring from the former Lines run on either Hand with Rhoad Island & Connecticut; We erected an Heap of Stones on the East Bank of said Patucket River, (being very high on that side from the Water) & mark'd a Pine at about fifteen Perch distant from said Brook Eastward on the North of the Land called Balcombs Land; & from thence, crossing the River, continued our Course West, as afore said thrô the Countrey, Marking divers Trees & making many Monu-ments of Stone in said Line; by which it may be easily found here-after: We carried it by Estimation two Miles West of Allom Pond;

Legislative
Records of the
Council, x.,
360.

House Jour-
nal, p. 9.
Ante, p. 535,
chap. 39; p. 562,
chap. 111;
p. 573, chap.
142.

Dated at said River the 14th Day of May 1719 : Sign'd
In Presence of John Arnold James Warren Banfield Capron
 { SAM^L WILKINSON { SAM^L THAXTER
 { JN^O MUMFORD { JOHN CHANDLER

CHAPTER 18.

Legislative
Records of the
Council, x.,
361.

House Journal, p. 9.
Ante, p. 655,
chap. 17.

Read &

Resolved that the sum of Twenty four Pounds & eleven shillings be allowed & paid out of the publick Treasury to the Hon^{ble} Nathaniel Payne Esq^r to discharge the said Accompt. [Passed June 6.

CHAPTER 19.

Legislative
Records of the
Council, x.,
361.

House Journal, p. 9.

A PETITION of John Braddock of Long Island in the Govern^t of New York Mariner, Shewing that in June last, the Petitioner together with John Cutler of Boston Physician before Timothy Clark Esq^r recognized in the sum of Fifty Pounds each, on the Condition that the Petitioner should personally appear before his Majestys Justices at the Court of General Sessions of the Peace, to be held at Boston on the first of July then next ensuing, to answer an Accusation of Sarah Salter Single woman, that the Petitioner was the Father of a Bastard Child begotten of her Body &c; At which Court the said Recognizance was continued until the Sessions held the first Tuesday of October last the said Sarah Salter not being then delivered, & from thence to an Adjournment of a Court of General Sessions of the Peace, on the last Tuesday of November last; when the said Recognizance was declared forfeited because the Petitioner made Default of Appearance to the said Court; That so it was, that the Petitioner was by the Providence of God hindred from giving his Attendance at the said Court as he intended, for he being actually on his Voyage from New York, his Vessel ran ashoar at New York, where she lay ashoar fourteen days before he could get her off; And it being the Winter Season, It was extremly difficult to come by Land to Boston with his Evidences, who were with him in his Vessel; by whom he could prove that the said Sarah Salter had had carnal Knowledge of several Persons about the time that she pretends that the Petitioner lay with her; That his Reputation is very much concerned in this Matter; And therefore Praying that this Hon^{ble} Court would take his Case into their Consideration, & save his Recognizance forfeited as aforesaid upon his Appearance at

the next Court of General Sessions of the Peace to be holden at Boston the first Tuesday of July next, to answer the Accusation of the said Sarah Salter, more especially because the Petitioner upon her groundless Complaint hath since entered into an other Recognizance to appear at the said Court at the same time to give Answer to the said Complaint.

Ordered that the Prayer of the Petition be granted. [*Passed June 8.*]

CHAPTER 20.

ORDER FOR SURVEYING PEREGR. WHITES FARM.

A PETITION of Daniel Waldo, Shewing that in the Year 1700, the Petitioner & one John Kidder hired of the Select men of the Town of Dorchester by a Lease, a certain Tract of Land containing Two hundred Acres lying in the Town of Dorchester between Brantree & Bridgewater, as in & by the said Lease, & by the Bounds thereof set forth in the said Lease may more fully & at large appear, That some time after the Execution of the said Lease the said Kidder resigned his Right to the Petitioner; whereby he became the sole Tenant; That in running the Line between the Counties of Suffolk & Plymouth by the Committees appointed for that purpose, the Petitioners Homestead & all his improved Lands happened to fall within the County of Plymouth; And Thomas Snell, John Howard & Ephraim Howard of Bridgewater laying Claim thereto, have by several Suits in the Law, recovered Possession thereof against the Petitioner, & ejected him out of the same; When indeed the said Thomas Snell, John & Ephraim Howard have no manner of just Claim thereto, & if the same were inquired into the Land would be found to belong to the Province as Countrey Land & no private Persons Property; for that the said Snell & Howards, under Pretence of Two hundred Acres, which they have purchased, which was granted to Peregrine White, they have swallowed up & taken from the Province near One thousand Acres which they presume to call their own, That the Petitioner is without Remedy against the Town of Dorchester, to make good the Damage he has sustained by the Weakness of the Lease; that he has dwelt on the said Land sixteen years, built a House & made Improvem^ts thereon very much to his Expence; so that without Redress he is utterly ruined; Praying that this Hon^{ble} Court would take his Case into their Consideration & in their great Wisdom & Goodness relieve him under his present Hardships by making him a Grant of the said Two hundred Acres of Land, or otherwise as to their great Wisdom shall seem meet.

Read &

Ordered that Samuel Thaxter Esq^r & Cpt. Jacob Thomson be [a]¹ Committee to go upon the Place & measure the Land which Thomas Snell John & Ephraim Howard claim as purchased of Peregrine White for Two hundred Acres, & report the Quantity thereof to this Court, Giving timely Notice to the said Snell & Howards of the Time of their proceeding to do the same & also to the Town of Bridgewater, that they may be present when it is done, if they see Cause; And that they inquire & inform themselves what Land there is near the said Place, which belongs neither to the Town of Dorchester nor Bridgewater, but the Province, & make Report, The Charge thereof to be born as this Court shall direct when the Report shall be made. [*Passed June 8.*]

Legislative
Records of the
Council, x.,
362.

House Jour-
nal, p. 9.

¹ State Library copy, Legislative Records of the Council, x., 411.

CHAPTER 21.

RESOLVE ON LYN SELECT MENS PETITION ALLOWING £9. 4. 6 FOR CARE OF THOMAS CROOK.

Legislative
Records of the
Council, x.,
363.

House Jour-
nal, p. 11.

A PETITION of the Select men of the Town of Lyn, Shewing that one Thomas Crook a Mariner born in Ireland, & lately a Passenger from thence in the Ship Three Anns & Mary, whereof Cpt. Richards is Master, having come in a Fishing Sloop from Casco Bay to Salem; where he, being sick, was turned out of Doors from House to House till at length he got so far as Lyn, being then in a perishing Condition, & could proceed no further by reason of his Legs being dropsical, that at Lyn he was put under the Care & Direction of D^r Bromstead who has look'd after him about six weeks, He being an Object of Charity & having Nothing to satisfy the Charge he has occasioned in the said Town; And for as much as he is a Stranger & no Inhabitant there, Praying that the Town of Lyn afore said may not be charged with his Cure, or be obliged to support him, & that such Order may be taken about him, as to this Hon^{ble} Court shall seem fit.

Read &

Resolved that the sum of Nine Pounds four shillings & six pence be allowed & paid out of the publick Treasury to M^r Speaker Burrill to discharge the Accompts of the Surgeon & those that entertained the within named Thomas Crook. [*Passed June 9.*]

CHAPTER 22.

ORDER OF HEARING ON THE PETITION OF THE SELECT MEN OF HATFIELD IN REGARD TO BOUNDS BETWEEN HATFIELD AND NORTHAMPTON.

Legislative
Records of the
Council, x.,
364.

House Jour-
nal, p. 11.

A PETITION of the Select men of the Town of Hatfield in behalf of the said Town, Shewing that the said Town is under great Difficulties respecting the Line between them & Northampton, & have been so for near these thirty Years, Northampton refusing to run the Line set them by the General Court; which is a Westerly Line from Connecticut River nine miles into the Woods, but do claim from the great River afore said sixty Rods, then a West Line to the End of their Bounds; which Line comes within a Mile of Hatfield Houses the whole Length of the Town; Which is extreamly detrimental to the said Town of Hatfield for that it destroys all their Outlets; & should it be fenced it would be a Pound or Bar to their Cattle in their Return home, & would bring on the Town Scarcity of Wood & Stone, & many other unspeakable Inconveniences, And therefore Praying an Order of this Court for Running of the said Line between the said Town of Hatfield & the Town of Northampton.

Read &

Ordered that the Petitioners serve the Town of Northampton with a Copy of this Petition, that they be heard thereon before this Court on the second Tuesday of the next Fall Session, If they have any thing to object why the Prayer there of should not be granted. [*Passed June 9.*]

CHAPTER 23.

ORDER ALLOWING THE ACCT OF THE COUNTY TREAS^R OF SUFFOLK.

AN ACCOMPT of Samuel Checkley Esq^r Treasurer of the County of Suffolk from May 6. 1718, to May 1719, Amounting to the sum of £411. 14. 8.

Read &

Ordered that this Accompt be Allowed. [*Passed June 9.*]

Legislative
Records of the
Council, x.,
364.

House Jour-
nal, p. 12.

CHAPTER 24.

ORDER ALLOWING THE HEIRS OF JOHN ALLEN OF CHARLESTOWN TO LAY OUT LAND.

A PETITION of Thomas Church Esq^r Shewing that the General Court of the late Colony of the Massachusetts did grant unto Cpt. John Allen late of Charles town Dec^d a Tract of One thousand Acres of Land in Consideration of Services he had done for the Govern^t which has not been yet laid out & confirmed to the said Cpt. John Allen or his Heirs And therefore Praying in behalf of himself, & the rest of the Heirs of the said Cpt. Allen that the said Thousand Acres of Land may be laid out to them in two several Places if they shall think fit.

Read &

Ordered that Leave be given to the Heirs of Cpt. John Allen Dec^d to lay out a Thousand Acres of Land in one or two Places by a Surveyour & Chain men under Oath in a proper Figure, & present a Plat or Plats thereof to this Court for Confirmation to fulfill a Grant made to Cpt. John Allen Octob^r 14. 1668, If the said Grant hath not been already taken up; The Land to be laid out not to be part of any for which Petition has been [made]¹ to make a Township of. [*Passed June 9.*]

Legislative
Records of the
Council, x.,
365.

House Jour-
nal, p. 11.

CHAPTER 25.

ORDER ACCEPTING THE REPORT FOR SETTLING CAPE PORPOISE AND NAMING THE TOWN ARUNDEL.

PURSUANT to an Order of the Great & General Assembly of the 13th of Novem^r 1717, to me directed, therein being impowered to regulate the present Settlem^t of Cape Porpoise as to the Placing their Houses, so that the Inhabitants may be able to defend them selves in Case of a War;

In Obedience thereunto I went on the Spot the 19th of this Instant, & took a particular View of the Place, & the several Parts thereof, & am of Opinion, And so far as it is in my Power have ordered & appointed that the South westerly Side of the Neck of Land known by the Name of Montagues Neck, It being commodious for the Harbour, convenient for the Fishery, & may be a Guard & Security to the Fishing Boats, & other Vessels which may at any time come in thither as also a convenient Outlet to the other Parts of the Town for their Creatures, That upon the highest Part of that Point they erect a Building of Timber suf[fi]cient for their Refuge & Defence in Case of a War, of about

Legislative
Records of the
Council, x.,
358, 366.

House Jour-
nal, p. 8,
Ante, p. 559,
chap. 102.

¹ State Library copy, Legislative Records of the Council, x., 415.

Fifty feet square ; & that so many of the Inhabitants as it will conveniently contain dwell within the Building ; that the rest of the Inhabitants build & set their Houses in a strait Line directly against each square of the said Building, so as they may be well commanded & within four Poles of each other ; And that the Line towards the Water be the greatest Number of Houses ; & that each Man have four Poles square of Land for setting his House & a Garden Spot ; & that every Inhabitant that settles within that Township be obliged to build a House there in Form as above expressed ; & that not less than three or four of the Inhabitants dwell on that Neck at all times, that so they may be able to keep possessed of it in case of some sudden Breaking forth of an Enemy : All which I am of Opinion would be of great Use & Benefit to the Publick, as well as safe to the Inhabitants residing therein.

J WHEELWRIGHT

Read & Accepted, &

Voted that the Name of the Town on Cape Porpoise be Arundel.
[*Passed June 10.*]

CHAPTER 26.

RESOLVE ALLOWING 30/ TO EPHRAIM WENDELL TO PAY THO. TARBAL'S NOTE.

Legislative
Records of the
Council, x.,
366.

House Jour-
nal, p. 12.

A PROMISSARY NOTE of Thomas Tarball, Dated Albany June 5. 1714. engaging to pay to Charles Laykas or Order Twenty eight shillings for Value received of him, when he was going to Canada to procure some English Captives there.

Read &

Resolved that the Sum of thirty Shillings be allowed & paid out of the publick Treasury to Ephraim Wendal to discharge the said Note.¹
[*Passed June 10.*]

CHAPTER 27.

RESOLVE ALLOWING £4 A YEAR TO JONATHAN JACKSON FOR LIFE.

Legislative
Records of the
Council, x.,
367.

House Jour-
nal, p. 13.

A PETITION of Jonathan Jackson of Seituate, Shewing that he being a Soldier in the Expedition against Philip & the Narraganset Indians under the Command of Major Cudworth was grievously wounded by a Shot in his Shoulder, that now in his old Age the said Wound (which was never cured) wholly disables him from Labour, That the Law of Plymouth Colony for the Encouragement of said Expedition promised that all Persons that sh^d be wounded thereon sh^d be supported by the Publick according to their Degree, And therefore humbly Praying that this Hon^{ble} Court would in their great Goodness do some thing for his Relief.

Read &

Resolved that a Pension of Four Pounds per Annum be allowed & paid out of the publick Treasury to Jonathan Jackson the Petitioner during his natural Life for Relief. [*Passed June 10.*]

¹ This is from the State Library copy, Legislative Records of the Council, x., 415. The Secretary's copy (*ibid.*, x., 366), after the word "Treasury," reads, "that Ephraim Wendall to discharge the said Note."

CHAPTER 28.

RESOLVE ALLOWING £43. 3. 1 TO BART. GREEN.

AN ACCOMPT presented by Bartholemew Green of Paper & Printing for the Publick since the 28th of June last, Amounting to the sum of £43. 3. 1.

Legislative
Records of the
Council, x.,
369.

Read &

House Jour-
nal, p. 16.

Resolved that the sum of Forty three Pounds three shillings & one peny be allowed & paid out of the publick Treasury to the Accomptant Bartholemew Green, to discharge the said Accompt. [*Passed June 12.*]

CHAPTER 29.

ORDER ON ANTH. AUSTINS PETITION FOR AN EXCHANGE OF LAND.

A PETITION of Anthony Austin of Suffield, Shewing that there is One Hundred Acres of Land reserved & laid out to the Countreys Use in the said Town, near a Brook called Stony Brook, being One hundred Rods in Breadth & one hundred & sixty rods in Length, thro' which there is an High way of four Rods wide, Cutting off a Part of said Countrey Land, That on the West side at the North End it is about thirty rods wide & narrower toward the South End, That the greatest Part of the Petitioners Land both for Tillage & Mowing lies on the West Side of the said Countreys Land at the North End; so that by said Countreys Land & other Land, which he cannot purchase, he is wholly cut off from the High way, & hath no Conveniency for Building; That he has five Acres of Land at the West Side on the South End, which being better for Quality, would be more profitable for the Country to take it in Exchange for so much in Quantity on the West side at the North End, The Petitioner being willing to be at all Charge in & about the said Exchange, And therefore Praying this Hon^{ble} Court that some thing may be done in the Premisses for his benefit, & that some meet Persons may be appointed in behalf of the Publick to make the said Exchange

Legislative
Records of the
Council, x.,
369.

House Jour-
nal, p. 16.

Read &

Ordered that the Prayer of the Petition be granted, & that Luke Hitchcock & John Ashley Esq^{rs} be impowered to make & execute Instruments for the Exchange, Taking Care that it be just & equal, The Petitioner to be at the Charge thereof. [*Passed June 12.*]

CHAPTER 30.

RESOLVE ALLOWING £8 TO MARY SHEPHERD.

A PETITION of Mary Shepherd of Dorchester Widow, Shewing that on the nineteenth of April last past, a Fire broke out in her Dwelling house (most of her Family being gone to meeting, it being Lords Day,) and in a few Hours burnt the same to Ashes, That the Fire being so sudden & fierce, she saved but little, and amongst other Things she lost in the said Fire one Five Pound Bill, & two Thirty shilling Bills

Legislative
Records of the
Council, x.,
370.

House Jour-
nal, p. 16.

of this Province, Praying that this Hon^{ble} Court would allow her the same out of the publick Treasury.

Read &

Resolved that the sum of Eight Pounds be allowed & paid out of the publick Treasury to Mary Shepherd the Petitioner. [*Passed June 12.*]

CHAPTER 31.

RESOLVE ACCEPTING THE ACCT^s OF THE TRUSTEES OF THE £50,000 LOAN.

Legislative
Records of the
Council, x.,
370.

House Jour-
nal, p. 13.

THE ACCOMPTS of Addington Davenport, Thomas Hutchinson, John White & Edward Hutchinson Trustees of the £50,000 Loan of Bills of publick Credit, Whereby it appears that in the Year past, they had received the sum of Five thousand & five Pounds & ten pence Principal Money, & the sum of Eight hundred forty one Pounds three shillings & three pence Interest

[Read and]

Resolved that the said Accompts be accepted & approved, & that the Trustees the Accomptants be accordingly discharged. [*Passed June 12.*]

CHAPTER 32.

VOTE ALLOWING THE TREASURERS GENERAL ACCOMPT.

Legislative
Records of the
Council, x.,
370.

House Jour-
nal, p. 8.

THE ACCOMPTS of M^r Jeremiah Allen, Treasurer & Receiver General of this Province, Beginning the 28th Day of May 1718, & Continued to the 30th Day of May 1719; Amounting to the sum of Fifty four thousand one hundred & seventeen Pounds nineteen shillings & two pence, Having been presented & laid before the House of Represent^{ves} & inspected by the said House; By which it appears there was standing out on the said 30th Day of May 1719, Three thousand two hundred & thirty seven Pounds eighteen shillings & three pence of the Taxes, Thirteen thousand four hundred seventy one Pounds two shillings & three pence Neet Province Bills & Two thousand nine hundred & forty five Pounds five shillings and two pence with the Five per Cent. Advance thereon in the Treasury & further to be accounted for;

Voted that the said Accompts in the several Articles of Receipts & Payments therein mentioned, Amounting to the sum of Thirty four thousand three hundred & sixteen Pounds eight shillings & three pence be & hereby are allowed of; And the said Treasurer is hereby discharged of the said sum of Thirty four thousand three hundred & sixteen Pounds eight shillings & three pence. [*Passed June 12.*]

CHAPTER 33.

ORDER ON SAVIL SIMPSONS PETITION, ANNEXING HIS LAND TO FRAMINGHAM.

Legislative
Records of the
Council, x.,
371.

A PETITION of Savil Simpson, Shewing that for many years past he has paid his Town & Province Tax to the Town of Framingham, where he properly belongs and has advanced considerable for the Building &

Repairing the Meeting house there, & also set up & erected two Bridges, at his own Cost & Charge, the better to accomodate his Family in passing to & from the said Meetinghouse; that since the Town of Hopkinston have settled their Bounds, the Petitioners Farm happens to Fall within the Line of Hopkinston, that the Petitioner & his Family will be under great Difficulty in attending the Worship of God at Hopkinston, being between four & five Miles from the Place designed for the Erecting a Meeting house; (& the Way very bad, & but three Miles from Framingham Meeting House,) ¹ And the Charge which will accrue from his being set to Hopkinston will be considerable.

Read &

Ordered that the Prayer of the Petition be so far granted, that the Petitioner & his Farm shall belong to Framingham for the present, & until this Court shall order otherwise. [*Passed June 12.*]

House Journal, p. 15.

CHAPTER 34.

ORDER OF HEARING ON CHEBACCO PETITION IN REGARD TO BOUNDS BETWEEN CHEBACCO AND IPSWICH.

A PETITION of Nathaniel Goodhue & Thomas Choat by Direction of & on behalf of the Precinct of Chebacco, Shewing that a Settlement of the Bounds of their Precinct by the Town of Ipswich, & Articles were drawn up & signed by Coll. Samuel Appleton, & Major John Whipple, Agents for Ipswich, & the Petitioners Agents for their Precinct, That the Petitioners did apply to the Hon^{ble} Court to ratify the same, but were obstructed by a Memorial from the Precinct called the Hamlet, Suggesting to the Hon^{ble} Court that the Gentlemen of Ipswich had settled to Chebacco a certain Part of their Precinct called Knights Farm; Whereupon the Petitioners did further apply to the Court, to send a Committee to the Place & hear the Allegations, of both Parties, & so to find out the Truth in that Case; Accordingly the Court did send a Committee on that Affair; Who made Report that by Record & living Evidence they found that the Farm called Knights Farm did properly belong to Chebacco & was a Part of their Precinct & so had been from the Year 1680, to that time; That notwithstanding the Report of the said Committee, the Gentlemen of the Hamlet & the Inhabitants of Knights Farm did represent to the Court their great Difficulty in travelling so far as Chebacco Meeting House, to attend the Worship of God; That there was an Article in the Agreement between Chebacco & Ipswich, That what Meadows & Upland Ipswich Men have within Chebacco Line should be free from paying Rates to Chebacco Minister; but the Court were pleased to order that all Land within Chebacco Line should be rated to Chebacco Precinct; that they find that these Marshes & Upland are notwithstanding taken off; And Praying that a new Hearing may be had of this matter; & that Knights Farm together with Thomas Knolton & Jeremiah Buckman (who upon two Hearings were confirmed to Chebacco Precinct, but upon a third obtained to be set off to the Hamlet) may be ordered back to Chebacco, & that the Line settled with Ipswich may for reasons mentioned in the Petition be confirmed to them.

Read &

Ordered that the Petition^{rs} serve the Town of Ipswich & the Hamlet Precinct with a Copy of this Petition, that they may be heard thereon before this Court on the third Wednesday of the Session in the next Autumn. [*Passed June 12.*]

Legislative Records of the Council, x., 371.

House Journal, p. 16.
Ante, p. 632, chap. 110.

¹ These lines occur in State Library copy, Legislative Records of the Council, x., 422.

CHAPTER 35.

ORDER OF HEARING ON ANN ANDREWS'S PETITION IN REGARD TO A JUDGMENT.

Legislative
Records of the
Council, x.,
373.

House Jour-
nal, p. 12.

A PETITION of Ann Andrews Widow of John Andrews late of Salem in the County of Essex Shipwright Dec^d in behalf of her self and her [Daughter,]¹ Shewing that the said John Andrews did in his Life time; viz; on the twentieth of June 1695, commence an Action against one John Lewis of Lyn, to recover the Possession of one Messuage or Tenement within the Bounds of Lyn aforesaid, wherein the said Lewis then dwelt, with all Out houses Barns and Stables thereto belonging, with the Orchards & all that Parcel of Marish which Cpt. Thomas Marshall of late dwelt upon, together with other Parcels of Land, to which the Plaintiff was well entitled; At which said Court, Issue being joined, & the Cause, after Arguments, committed to the Jury, the said Jury found for the Defendant Costs of Court; from which the Plaintiff appealed to the next Superior Court held at Salem for the said County in Novem^r following, that upon a full Trial of the said Cause at the said Court, the Jury found for the said John Andrews the Appellant the Reversion of the former Judgement, & the Housing & Lands in Controversy & Costs of Court; But the Hon^{ble} the Judges of the said Superior Court of Judicature were pleased at the said Court to order Respit of Judgement until the Court next following; At which Court the said Judges made the following Order; viz, That the Defend^t having set forth upon the Hearing of the Cause, that several Parcels of Land were contained or sued for in the Writ, which neither are, nor ever were in his Possession; Which was fully proved, & the Plaintiff acknowledged in open Court that forty five Acres in particular, that is built upon & improved, were specified in the said Writ; which are not nor ever were in the Defendants Possession, & the Ter Tenant not summoned to defend the same; Upon Hearing & Arguing of the said Cause, with the Allegations of both Parties, & due Consideration thereof had the said Court were pleased to order Judgment to stay in said Cause, That thereupon the said John Andrews applied to the General Court by his Petition for Relief; But pending the said Petition, It pleased God to remove him by Death; And therefore Praying that the Judgment of the said Superior Court of Judicature in Novem^r 1695, on the Verdict of the Jury may be confirmed with the Respit only of the Forty five Acres of Meadow, & ten Acres of Upland, so that the Remainder may appear to belong to be² the Right of the said John Andrews Dec^d That thereby the Hon^{ble} Judge of Probate may be enabled to divide & lay out the same to the Petitioners as the Law directs; & that after Administration granted they may be enabled to revive the said Judgment, or that they be admitted to a new Trial.

Read &

Ordered that the Petitioners serve the adverse Party with a Copy of this Petition, that a Hearing may be had thereon before this Court, if they have any thing to object why the Prayer thereof should not be granted; on the second Tuesday of the Sessions thereof in August next. [*Passed June 13.*]

¹ State Library copy, Legislative Records of the Council, x., 424.

² The word "be" is not in the State Library copy. — *Ibid.*, 425.

CHAPTER 36.

ORDER GRANTING M^r AUKMUTYS PETITION FOR RELEASE OF FREE-TOWN MEN FROM JAIL TO ATTEND A HEARING.

A PETITION of Robert Aukmuty in behalf of several of the Inhabitants of the Town of Freetown now in his Majestys Goal in Bristol, Praying that they may have Liberty to be present at the Hearing before this Court, granted the tenth¹ Instant on the Petition of Joseph Brownel & others upon sufficient Security given to indemnify the Sheriff in case of any Escape.

Read &

Ordered that the Prayer of this Petition be granted. [*Passed June 13.*]

Legislative
Records of the
Council, x.,
374.
House Jour-
nal, p. 18.

CHAPTER 37.

VOTE APPOINTING A COMMITTEE TO RUN THE SUTTON LINE.

IN COUNCIL; In Consideration of the Indian Petitions, Praying that the Report of the Line between Sutton & Hassanimisco, run by Major Chandler & others in Decem^r last may not be accepted;

*Voted*² that Samuel Thaxter Esq^r with such Persons as shall be appointed by the Hon^{ble} House of Represent^{ves} be a Committee to run the said Line anew in order to a final Settlement thereof; And to the end the Indians may have no manner of Wrong done them, That the Committee have the first & old Plat for their Information, & also that they notify the Indians Proprietors of Hassanimisco especially those that complain & any other Persons that can give any Information thereof; And in case the said Complaints against the said Line run as afore said be found unreasonable & vexations, the Charge of running the said Line a new be not laid on the Proprietors of Sutton; That the said Work be attended as soon as may be, & Report thereof be made to this Court

In the House of Represent^{ves} Read & Concur'd, And William Dudley Esq^r is joined in the Affair. [*Passed June 16.*]

Legislative
Records of the
Council, x.,
376, 377.

Legislative
Records of the
Council, x.,
375. House
Journal, p. 20.
Ante, p. 609,
chap. 54.

CHAPTER 38.

VOTE ACCEPTING THE COMM^{TEES} REPORT ON THE ACC^{TS} OF THE COM-
MISS^R OF IMPOST.

IN OBEDIENCE to the Order within mentioned We the Committee appointed to examine & inspect the Aecompts of the Commissioner of Impost, have at several times very particularly view'd the Books of Aecompts of the said Impost Commission^r together with the particular Entries of the Merchants to whom the imported Goods were consigned & the Manifests of the Masters of Vessels importing the same; And we find that the said Manifests & Entries are on File in the Impost Office, sworn to by the respective Masters & Merchants,

Legislative
Records of the
Council, x.,
377.

House Jour-
nal, p. 21.
Ante, p. 622,
chap. 50.

¹ This is the date of the action of the House of Representatives. The Council concurred on the 13th.

² The House Journal reads, "Ordered."

& that they are right & exactly enterd in the Books, the Duties paid according to Law, the Accompts fairly stated & kept & well & truly cast; And by the Books the Province Credit to the twentieth of March last. Boston June 16. 1719.

Sign'd	JON ^A BELCHER	is {	Impost	£3,131. 5. 11.
	EDW ^D HUTCHINSON		Powder Money .	398. 5. 7.
	JOS. WADSWORTH		Light house Money	5. ¹ 5. 3.
				<hr/> £3,586. 5. 3.

Read & Accepted. [*Passed June 16.*]

CHAPTER 39.

VOTE ALLOWING SOLDIERS FOR NORTHFIELD.

Legislative
Records of the
Council, x.,
378.

House Jour-
nal, p. 20.

Voted that seven Men in the publick Pay be allowed for the Covering of the Settlem^t of Northfield, to the End of October next. [*Passed June 16.*]

CHAPTER 40.

VOTE FOR A NEW PRECINCT AT MIDDLEBORÔ & TAUNTON.

Legislative
Records of the
Council, x.,
378.

Legislative
Records of the
Council, x.,
354, 378. House
Journal, p. 21.

Voted that the Tract of Land being Part of Middlborô & Taunton, surveyed & platted by Cpt. Thomson be & hereby is erected into & granted to be a Precinct, with all the Powers & Privileges by Law belonging to a Precinct; Excepting the Lands belonging to some of the Proprietors of Freetown, & the Land belonging to the Inhabitants of Ketticut; And that after the Expiration of fifteen years, this Court have Consideration, Whether that Part of Taunton which lies within the said Plat shall continue to belong to the said Precinct; And that the Hon^{ble} John Cushing & Samuel Thaxter Esq^r M^r Samuel Seabury, Cpt. William Throop & M^r Zechariah Signal be a Committee to fix & determine the Place of the Meeting House; And that the said Precinct do forth with proceed to build their Meeting house & settle an orthodox Minister. [*Passed June 17.*]

CHAPTER 41.

RESOLVE ALLOWING £22. 14. 6 TO LUKE VARDY.

Legislative
Records of the
Council, x.,
379.

House Jour-
nal, p. 22.

AN ACCOMPT of Luke Vardy of the Charge of Dining the House of Representatives on the last Day of Election of Councill^{rs} Amounting to £22. 14. 6.

[*Read and*]

Resolved that the sum of Twenty two Pounds fourteen shillings & six pence be allowed & paid out of the publick Treasury to Luke Vardy to discharge the said Accompt. [*Passed June 17.*]

¹ £57. 5. 3 in State Library copy, Legislative Records of the Council, x., 431; but the addition is incorrect in both copies.

CHAPTER 42.

ORDER GRANTING JARED TALBOTS PETITION, PRAYING FOR NEW TRIAL OF A CAUSE AND STAY OF EXECUTION.

A PETITION of Jared Talbot of Dighton in the County of Bristol Shewing that the Petition^r brought forward two Actions of Review against Nicholas Moorey of Freetown, referring to Actions of Trespass, the one for Mowing of Grass, the other for Carting of Wood a cross some Meadow; W^{ch} Actions of Trespass were commenced by the said Moorey against the Petitioner, That both said Actions of Review were bar'd; The Writs being abated at the last Superior Court of Judicature &c, held at Bristol in Septem^r last past, by the Hon^{ble} the Judges of the said Court, so that the Petitioner could not come to the Trial of the said Causes; And that the only Cause of the Abatem^t was the Resolve of the General Court Dated June 17. 1718, Whereby Timothy Halloway had Liberty given him to bring forward Writs of Scire facias against said Moorey on two Judgments; And therefore Praying this Hon^{ble} Court would consider & judge Whether the Liberty granted to the said Halloway as afore said is sufficient Ground to bar the Petitioner from using the Liberty given him by the Law of the Province to review his said Action; And that they would please to give Order that his said Actions of Review against Nicholas Moorey afore said may go forward to a Trial at the next Superior Court of Judicature to be holden at Bristol in Septem^r next, & upon the Writs & Record they were entered upon at the Superior Court; And that no Execution may be levied upon the Petitioner upon the afore said Causes till the new Trial now prayed for be pass'd.

Read &

Ordered that the Prayer of the Petition be granted, The Petitioner giving seasonable Notice to adverse Party. [*Passed June 19.*]

Legislative
Records of the
Council, x.,
381.

Legislative
Records of the
Council, x.,
254. House
Journal, p. 24.

CHAPTER 43.

ORDER ON THE PETITION OF SEVERAL INHAB^{TS} OF FREETOWN, GRANTING RELIEF FROM A TAX.

A PETITION of Joseph Brownell & sundry others Inhabitants of Freetown, Shewing that divers of the Inhabitants of the said Town were in Febr^y. last committed to the common Goal in Bristol, for refusing to pay a Part of a Rate laid on the said Town, for the maintaining M^r Thomas Craighead as their Minister, by the Justices of the Peace for the County of Bristol, at their General Sessions, That the Meeting of the Town of Freetown, at which the said M^r Craighead was chosen was called by a Warrant directing the Constables to warn a Town Meeting for chusing the said M^r Craighead; by which their Right & Freedom of Election was taken away, That the said M^r Craighead upon his first coming among them, did assure them, that he would be supported by a free Contribution, & no otherwise; And therefore Praying that the Act of the General Sessions of the Peace in taxing them as afore said may be declared null & void, & that such of the Inhabitants as are now under Confinement may be released & set at Liberty, & that the pretended Choice of the s^d M^r Craighead to be Minister of the said Town of Freetown may be put aside, & made ineffectual.

Read &

Ordered that the Prayer thereof be granted. [*Passed June 19.*]

Legislative
Records of the
Council, x.,
374, 381.

House Jour-
nal, p. 24.

CHAPTER 44.

ORDER OF HEARING ON THOMAS & PATIENCE JAMES'S PETITION,
PRAYING RELIEF AGAINST A CONVEYANCE OF LAND IN VIOLATION
OF TRUST.

Legislative
Records of the
Council, x.,
382.

House Jour-
nal, p. 24.

A PETITION of Thomas James of Hingham & Patience his Wife, Shewing that the Petitioner Patiences first Husband William Farrow about the Year 1702. came to an Agreement with David Jacobs of Scituate, Whereby the s^d Jacobs in consideration of the sum of Seventeen Pounds was to convey to the said Farrow five Acres & an half of Land at a Place called Gulph Island in Hingham afore said, the said Farrow paid Ten Pounds as Part thereof & immediately after died before Deeds of Conveyance could be perfected; The Petitioner being then in great Affliction & not understanding Things of that Nature, placed her Confidence in John Tore her Brother, who prevailed upon her to admit him to pay the Remainder of the said Consideration Money, & so he would get a Deed of the said Jacobs of the Premises; That the said John Tore, not regarding his Trust, & knowing that the said Land would soon be worth Sixty Pounds (as now it is) took a Deed of the whole in his own Name, & to his own Use & Behoof without Putting the same upon Record, & with out the Knowledge of the Petitioner; That the said Tore died about the Year 1709, & upon his Death Bed declared that one Half of the said Land was the Estate of the Petitioner; & that the true Reason of his keeping the Whole in his own Name was for the benefit of the Petitioners Daughter, & to secure the said Land from her second Husband, That the Widow of the said Tore did inventory but one Half of the said Land upon the Account of her Husbonds Death Bed Declaration; but now intending to defraud the Petitioner hath recorded the said Deed; And foras much as they can not be relieved by the strict Rules of the Law, Praying that this Hon^{ble} Court would afford them such Redress in the Premises, as to their great Wisdom & Goodness shall seem most fit.

Read &

Ordered that a Hearing be had on this Petition on the second Tuesday, of the next Fall Session, Unless the Parties do accomodate their Difference before that time; & that the Petitioners serve the adverse Party with a Copy of this Petition & Order. [*Passed June 19.*]

CHAPTER 45.

RESOLVE GRANTING ALLOW^{CE} FOR DIETING PRISONERS &c.

Legislative
Records of the
Council, x.,
383.

House Jour-
nal, p. 24.

IN CONSIDERATION of the Dearness of Provisions,

Resolved that the Keepers of his Majestys Goals within the several Counties of this Province shall be & hereby are allowed Three shillings & eight pence a Man per Week for Dieting Prisoners from the first of April to the last of October; & Four shillings & eight pence per Week from the first day of Novem^r to the last Day of March for Dieting & sufficient Firing for the two years next coming & no longer. [*Passed June 20.*]

CHAPTER 46.

ORDER ON THE PETITION OF PRUDENCE & EZEK. CLEASBY IMPOWER-
ING THEM TO SELL LAND.

A PETITION of Prudence Cleasby & Ezekiel Cleasby Wife & only Son of Ezekiel Cleasby of Boston Taylour; Shewing that the Petitioners Husband & Father Ezekiel Cleasby has for many months last past been in a very deplorable Condition by Sickness & thrô the Loss of the Use of his Reason, so that he is now reduced to the greatest Want & Necessity, having Nothing to support him self with & being considerably in Debt; And therefore Praying that this Hon^{ble} Court would empower them to make Sale of a certain Dwelling house & Land belonging to the said Cleasby, situate at the North End of Boston near the Salutation, by Deed or Deeds in the Law, that so they may be enabled to pay or satisfy a Mortgage now upon the said House & Land & other his just Debts, and also to provide Necessaries for his Support.

Read &

Ordered that the Prayer of this Petition be granted. [*Passed June 20.*]

Legislative
Records of the
Council, x.,
372, 384.
House Jour-
nal, p. 24.

CHAPTER 47.

ORDER OF HEARING ON SAM^l. BANISTERS PETITION FOR A NEW TRIAL.

A PETITION of Samuel Banister of Boston Merch^t Shewing that the Petitioner as Co-Executor with his Brother, to his Mother Sarah Banister, being possessed of several Notes & Specialties under the Hand of one James Corbin of Woodstock, who refusing the same, In October 1713, they were by the Petitioner severally put in Suit against him, Also a Mortgage which was made by the said Corbin Anno 1702, to the Petitioners Father; & Judgement went for the Plaintiff accordingly; From which the said Corbin appealed to the Superior Court next following, (Except from the Judgment on the said Mortgage) When a Verdict was brought in specially; Viz, "If the Mortgage be a Bar to the Prior Claims, then the Jury find for the Appellant the Reversion of the former Judgment, & Costs of suit, Otherwise they find for the Appellee Confirmation & Costs." Upon which Verdict the Judgment of the said Court was the Reversion of the said Judgment & Costs for the Appellant; The said Corbin having also upon an Appeal to the same Court two Cross Actions of Accompt against the Petitioner in his said Capacity; viz, One for Two hundred & twenty five Pounds, the other for Seventy two; & recovered Judgment likewise for Forty four Pounds; The Court upon the Matter as specially left with them conceiving that the Specialties and Notes & also the Whole of the said Corbins Accompts in the said Actions, (Excepting the Forty four Pounds) bearing Date before the said Mortgage were all of them accounted for at the time of making the said Mortgage; & that the Mortgage was given for the Ballance; That the said Corbin, when the Petitioner was from Home served Writs of Review for both the said Actions; And notwithstanding the said Corbin produced not his Book in Proof of his said Accompt, pretending it was lost, & no manner of other Proof, not so much as the said Corbins Oath to the said Accompt, which was before specially refer'd to the Court, who well weighed the presumptive Evidences & Circumstances in the Case, the Jury took upon them selves to try the same & brought in for the Plaintiff in both Actions the Money sued for &

Legislative
Records of the
Council, x.,
381, 384.
House Jour-
nal, p. 24.

Costs of Court; So that the said Corbin hath the Allowance of all his Demands from the beginning; & the Petitioner is for ever strip'd of the Benefit of his Specialties; And therefore Praying that this Hon^{ble} Court would order him the Benefit of an other Trial in the Law, or otherwise relieve him, as to their Wisdom shall seem fit.

Read &

Ordered that a Hearing be had on this Petition on the second Wednesday of the next Fall Session; And that the Petitioner serve the adverse Party with a Copy of this Petition & Order thereon. [*Passed June 20.*]

CHAPTER 48.

RESOLVE CONFIRMING A PLAT OF 300 ACRES OF LAND TO JN^O SHELDEN.

Legislative
Records of the
Council, x.,
384.

House Jour-
nal, p. 24.
Province
Laws, viii.,
p. 249, chap. 70.

A PLAT of Three hundred Acres of Land laid out upon Ware River by Timothy Dwight Survey^r & Chain men under Oath, to satisfy a Grant made by the Court to M^r John Sheldon the 26th Day of Novem^r 1707.

[Read and]

Resolved that the Land protracted & delineated in the said Plat be granted & confirmed to the said John Sheldon & his Heirs, Provided that it contain no more than Three hundred Acres and intrench upon no former Grant. [*Passed June 20.*]

CHAPTER 49.

RESOLVE ALLOWING £8. 14. 4 TO DAN^L HENCHMAN.

Legislative
Records of the
Council, x.,
385.

House Jour-
nal, p. 25.

AN ACCOMPT of Daniel Henchman of the Charge of Printing the Sermon of the Rev^d M^r William Williams preached the last Day of the Election of Councill^{rs} Amounting to the sum of £8. 14. 4.

[Read and]

Resolved that the sum of Eight Pounds fourteen shillings & four pence be allowed & paid out of the publick Treasury to Daniel Henchman the Accomptant to discharge his Accompt. [*Passed June 23.*]

CHAPTER 50.

ORDER ABOUT PROVINCE LAND NEAR LANCASTER.

Legislative
Records of the
Council, x.,
386.

Legislative
Records of the
Council, x.,
232. House
Journal, p. 26.

Ordered that no Person be allowed to take up or protract any particular Grant of Land within the Limits of the Tract of Land lying between the Towns of Lancaster & Groton, Which a Committee of this Court lately reputed to be convenient & accomodable for two Townships. [*Passed June 23.*]

CHAPTER 51.

ORDER ON ANN WARES PETITION EMPOWERING CERTAIN PERSONS TO SELL LAND.

A PETITION of Ann Ware, Relict Widow of Robert Ware late of Boston House wright Dec^d Shewing that the said Robert Ware did by his last Will & Testament give unto his Daughter Martha Brewer & her Husband John Brewer a certain House & Land in Boston aforesaid, to be after their Decease the Estate of their Children, & Two hundred Pounds to the said Brewer to be laid out in Buildings on the said Land upon Condition that he maintain the Petitioner during her natural Life with Food & Rayment; That the said Brewer has expended above Four hundred Pounds in building on the said Land, & purchasing a Piece of Land, adjoining to it, by which he is so impoverished that he has mortgaged the said House & Land to M^r Joseph Hiller, & is thereby & thro' Sickness utterly disabled from doing any thing for the support of the Petitioner; And therefore Praying that the said Joseph Hiller & John Brewer may be impowered to make Sale of the Eastermost Part of the said House & Land to pay off the Mortgage, & that the Overplus with the remaining Part of the said House & Land be appropriated for the Relief & Support of the Petitioner, & the Children of the said John & Martha Brewer.

Legislative
Records of the
Council, x.,
388.

House Jour-
nal, p. 28.

Read &

Ordered that the Prayer of the Petition be granted, & that M^r Thomas Cushing be joined with M^r Hiller and M^r Brewer in the Sale of the Eastermost Part of the said House & Land. [*Passed June 24.*]

CHAPTER 52.

VOTE ON THE MEM^o OF THE EASTⁿ MEMBERS FOR ENLISTMENT OF FORTY MEN FOR THE EASTERN SERVICE.

A MEMORIAL of several Members of the Court being Inhabitants of the County of York, Shewing that the Memorialist by their Neighbourhood being acquainted with the Condition & Circumstances of the new Settlements forming in the Eastern Parts of this Province & considering the Time for which the Court granted a Number of Soldiers for their Protection is near expiring, have thought it their Duty humbly to represent to his Excellency & this Hon^{ble} Court that considering the insolent Temper of the Indians there, It would very much discourage those Settlements, if the said Soldiers should be drawn off, & those feeble Towns no otherwise encouraged & enforced; And therefore humbly Proposing to this Great & General Court that there may be a proper Number of Men posted at all or such of the new Plantations & for such time as shall be fit to cover & defend them, & to assist in building a Place or Places of Defence & Security in each of them; To which in cases of Danger all the Inhabitants may safely resort; And that none of the Inhabitants may be allowed to be of the Number of Centinels in Pay By which no Addition will be made to the Strength of the new Towns.

Legislative
Records of the
Council, x.,
359, 376, 389.

House Jour-
nal, pp. 19, 20.

Subscribed

JN^o WHEELWRIGHT
JOSEPH HILL
ELISHA GUNNISON.
ABRA. PREBBLE

SAM^l PLAISTED
JOS. HAMOND
CHAR. FROST

In Answer to the said Memorial

Voted that his Excellency the Governor be requested to direct That Forty suitable Men be enlisted Voluntiers for the said Service; & that Ten shillings per Man be allowed out of the publick Treasury to encourage their enlisting, that Fifteen of the said Men be posted at the Town of Falmouth, Ten at Scarborô, Ten at Arundel & Five at North Yarmouth, & be continued to the End of October next; That none of the Inhabitants be allowed to be in Pay as Centinels; And that his Excellency the Governor be further humbly requested to direct the Governm^t of New Hampshire to raise & maintain their full Quota of Men with those of this Province for the Protection & Encouragem^t of the Eastern Settlements; Which will be of common Advantage to these Governments. [*Passed June 24.*]

CHAPTER 53.

ORDER ON THE PETITION OF THO. HOW ESQ^R CONFIRMING TITLE TO LAND.

Legislative
Records of the
Council, x.,
389.

Mass.
Archives,
ccxliii., 23.
Legislative
Records of the
Council, vii.,
35. House
Journal, p. 29.

A PETITION of Thomas How Esq^r Shewing that the General Assembly at their Session in May 1699, did permit & grant Licence to the Petitioner to purchase a Parcel of Land of an Indian called Joseph Robinson, lying betwixt the Bounds of Marlborô & Sherburn & Woolsons Farm, As by the Vote of the Court hereunto annexed may appear, That the Petitioner, pursuant to the said Vote has made a legal & just Purchase of the said Land, & hath been at considerable Charge & Expence about the same; And therefore Praying that the Hon^{ble} Court would ratify & confirm the Purchase of the abovesaid Land, according to a Plan thereof taken by a Surveyour & Chain men under Oath, & herewith presented for Confirmation.

Read &

Resolved that the Land delineated & described in the Plat on the other Side be granted & confirmed to Thomas How Esq^r & his Heirs & Assigns for ever, Provided it exceed not the Quantity of Fifty Acres & entrench upon no former Grant. [*Passed June 25.*]

CHAPTER 54.

ORDER GRANTING DAN^L BARTLETS PETITION IN REGARD TO A NEW TRIAL.

Legislative
Records of the
Council, x.,
390 *bis*.

House Jour-
nal, p. 29.
Ante, p. 478,
chap. 51; p. 505,
chap. 134.

A PETITION of Daniel Bartlet, Shewing that the Petitioner in a Session of the General Court in Novem^r 1716, was by a Vote of the Court admitted to a Hearing upon a Petition, by him presented, relating a Cause depending in the Superior Court in the County of Bristol, that the Hon^{ble} Court after the Hearing were pleased to pass an Order on the said Petition that Daniel Bartlet be allowed a new Trial at the Superior Court, next to be holden at Bristol within & for the County of Bristol; And that the Petitioners Council prepare a Bill accordingly, That it then being near the Close of the Court, & the Petitioners Council necessarily called into the Country, he was prevented from bringing in a Bill, according to the Order of the Court; And therefore humbly Praying that he may now have Liberty to prepare & bring in a Bill according to the afore recited Order of the Court

Read &

Ordered that the Prayer of this Petition be granted. [*Passed June 26.*]

CHAPTER 55.

VOTE FOR RUNNING THE LINE BETWEEN WRENTHAM & ATTLEBOROUGH.

Ordered that Samuel Thaxter Esq^r & Cpt. Jacob Thomson be a Committee carefully [to enquire]¹ into, run, & settle the Divisional Line between the Towns of Wrentham & Attleborô, Giving Notice to both Towns when they attend that Service, & make Report of their Doings thereon to this Court. [*Passed June 26.*]

Legislative
Records of the
Council, x.,
391.
House Jour-
nal, p. 30.

CHAPTER 56.

VOTE ON THE PETITION OF JOSEPH METCALF, MINISTER AT FALMOUTH, PRAYING FOR SUPPORT.

A PETITION of M^r Joseph Metcalf, Minister of the Town of Falmouth on Cape Cod, Shewing that upon his settling in said Town, he had Forty Pounds per Annum allowed him by the People, They engaging likewise to increase his Salary as they should be able, That it is now at Sixty Pounds per Annum; which if he could receive in Currant Money he should be able (thô with much Difficulty) to support him self with it; But thrô the low Value of the Bills he can no ways support his large Family with his slender Allowance, that he has made Application to the Town to increase his Salary, but without Success; And therefore Praying that this Hon^{ble} Court would consider & compassionate his Circumstances, & assist him in such manner as shall be most fit.

Read &

Voted that it be recomēded the Hon^{ble} the Committee that received the Charity of this Province collected (upon a Brief Issued forth by this Governm^t) for propagating the Gospel, for some present Relief, And that it be recomēded to the Court of General Sessions of the Peace for the County of Barnstable to take Care that the Petitioner be suitably supported for the future unless the Town should prevent it by Doing it. [*Passed June 26.*]

Legislative
Records of the
Council, x.,
391.
House Jour-
nal, p. 30.

CHAPTER 57.

VOTE FOR £4,000 TAX.

IN THE HOUSE OF REPRESENT^{ES} Whereas this House have Voted that the Vessels belonging to Great Britain shall be exempted from the Duty of Tunnage, in the Bill entitled An Act for granting unto his Majesty several Rates & Duties of Impost & Tunnage of Shipping; whereby the Sum to be raised by the said Act will be lessened;

Voted that Four thousand Pounds of the Sixteen thousand Pounds granted in the Years 1713, 1715 & 1716, be raised by Tax on Polls & Estates this present Year & no more; And that the Duties of Impost & Tunnage of Shipping & the Excise, together with the Income of the Bills let out & the Light House be a Fund & Security for drawing in the remaining Twelve thousand Pounds: In Council; Read & Concur'd. [*Passed June 27.*]

Legislative
Records of the
Council, x.,
392.
House Jour-
nal, pp. 16, 19.
Province
Laws, ii., 138,
161.

¹ The words in brackets are inserted from the State Library copy, Legislative Records of the Council, x., 447.

CHAPTER 58.

RESOLVE FOR EMITTING £5,000 IN BILLS OF CREDIT, AND PROVIDING SECURITY.

Legislative
Records of the
Council, x.,
395.

House Jour-
nal, p. 32.
Province
Laws, ii., 161.

Resolved that the Treasurer be and hereby is directed & impowered to issue forth & emit the sum of Five thousand Pounds of the Bills of publick Credit that are or shall be received into the Treasury for Payment of the publick Debts of the Province already contracted, for the Defence & Support of the Govern^t & the necessary Protection & Preservation of the Inhabitants of this Province & for subsisting of Forts & Garrisons & Wages arising for their Service; for Payment of Grants, Salaries & Allowances made or to be made by this Court; according to such Draughts as shall from time to time be made upon him by Warrant or Order of the Govern^r or Commander in Chief for the time being & with the Advice & Consent of the Council; And the said Bills shall pass out of the Treasury at the the¹ Value therein expressed equivalent to Money, & shall be Accepted & taken in all publick Payments at the Advance & after the Rate of Five per Cent. more: And as a Fund & Security for the same, there be & hereby is granted unto his most Excellent Majesty for the Ends & Uses afore said a Tax of Five thousand Pounds, Three thousand Pounds thereof to be levied upon Polls & Estates both real & personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in May 1721, & pay into the Treasury on or before the last Day of December next after; The remaining Two thousand to be levied as aforesaid, at the Session of this Court in May 1723, & paid into the Treasury on or before the last Day of December next after: And that the Duties of Impost & Excise be a further Fund & Security for the repayment & Drawing in the said Bills into the Treasury again. [*Passed June 30.*]

CHAPTER 59.

RESOLVE ALLOWING £600 TO THE GOVERNOR.

Legislative
Records of the
Council, x.,
395.

House Jour-
nal, p. 33.

Resolved that the sum of Six hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esq^r Captain General & Governor in Chief of this his Majestys Province for his Support in Managing the Affairs of the Govern^t. [*Passed June 30.*]

CHAPTER 60.

RESOLVE ALLOWING £50 TO THE LIEU^t GOVERN.

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 33.

Resolved that the sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} William Dummer Esq^r Lienten^t Governor, in consideration of his Readiness at all times to serve this Province. [*Passed June 30.*]

¹ *Sic.*

CHAPTER 61.

RESOLVE ALLOWING £400 TO THE JUSTICES OF THE SUPERIOR COURT.

Resolved that the sum of Four hundred Pounds be allowed & paid out of the publick Treasury to the Hon^{ble} the Judges of the Superior Court of Judicature in proportion to the Courts they attended in the Year past. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 33.

CHAPTER 62.

RESOLVE ALLOWING £30 ADDITIONAL TO M^R PRESID^T LEVERET.

Resolved that the sum of Thirty Pounds be added to the Allowance of the Rev^d M^r John Leveret President of Harvard College, to be paid him out of the publick Treasury for the Year Currant, beginning in January last. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 33.

CHAPTER 63.

RESOLVE ALLOWING £250 TO THE TREASURER.

Resolved that the sum of Two hundred & fifty Pounds be allowed & paid out of the publick Treasury to Jeremiah Allen Esq^r Treasurer of this Province. for his Service the Year past, his Trouble being extraordinary in changing the Bills of Credit, & Taking Care for the Supply of the Garrisons &c. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 33.

CHAPTER 64.

RESOLVE ALLOWING £27. 10 TO JOHN FLAGG.

Resolved that the sum of Twenty seven Pounds ten shillings be allowed & paid out of the publick Treasury to M^r John Flagg Door Keeper to his Excellency the Governor & this Court for his service Half a Year ending the sixth of this Month. [*Passed June 30.*]

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 33.

CHAPTER 65.

RESOLVE ALLOWING £3 TO JOHN FLAGG.

AN ACCOMPT of John Flagg of Taking Care of the two Clocks belonging to this Court, for two years & an half, & Cleaning one of them Amounting to the sum of £3.

Legislative
Records of the
Council, x.,
396.

House Jour-
nal, p. 34.

[Read and]
Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to John Flagg the Accomptant to discharge his said Accompt. [*Passed June 30.*]

CHAPTER 66.

RESOLVE ALLOWING £100 TO CLAUDIUS PETIPAS &c.

Legislative
Records of the
Council, x.,
397.

Legislative
Records of the
Council, x.,
384. House
Journal, p. 31.

A PETITION of Claudius Petipas,

In Consideration of the tender Regard the Petitioner hath shewn to sundry English Captives in the late Indian War, not only in relieving & succouring them when in great Want, but purchasing them from the Indian Enemy, at his own Cost & Charge & setting them at Liberty; as is certified by divers Persons of good Repute;

[Read and]

Resolved that the sum of One hundred Pounds be allowed & paid out of the publick Treasury to the Petitioner Claudius Petipas, That one of his Sons be fitted for & brought up at Harvard College for the Space of four Years at the Charge of this Governm^t And that M^r President Leveret be desired to take the Charge of his Education. [*Passed June 30.*]

CHAPTER 67.

RESOLVE ALLOWING £20 TO M^r JOHN WHITE.

Legislative
Records of the
Council, x.,
396, 397.

House Jour-
nal, p. 33.

Resolved that the sum of Twenty Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of the House in Part for his Service the Year Currant. [*Passed June 30.*]

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FOURTH DAY OF NOVEMBER, A.D. 1719.

CHAPTER 68.

VOTE ABOUT PASSENGERS ARRIVED FROM IRELAND &c.

WHEREAS this House is informed that a Vessel yesterday arrived from Ireland to Hull, with about One hundred & fifty Passengers; several of whom in the Passage have been sick of the Small Pox, & are by the Care of the Select men of the Town of Boston landed at the Pest house, so many as that House will entertain; but several remain still on board unprovided for, Who will be likely soon to come to this Town (If Care be not taken of them) to the Endangering of the Health of the Province;

Ordered that the said Select men of the Town of Boston be desired to take Care of the Entertainm^t of such of the said Passengers as cannot be received at the Pest house, in some proper Place, to prevent the spreading of the said infectious Sickness, & provide them & the others at the Pest house with some fresh Meat & Greens for their Refreshm^t & Fire Wood for their present Necessity. [*Passed November 4.*]

Legislative
Records of the
Council, x.,
400.

House Jour-
nal, p. 35.

CHAPTER 69.

RESOLVE ALLOWING £3 TO JOHN SMALPIECE.

A PETITION of John Smallpiece Shewing that in the Year 1711, he did by Order of the Governm^t put on board the Antilope a Transport designed on the Expedition against Canada, the Quantity of Twenty four Tuns of Ballast, Amounting to the sum of Three Pounds; Which has not yet been paid to him; And therefore Praying that the said sum of Three Pounds may be allowed to him out of the Treasury.

Read &

Resolved that the sum of Three Pounds be allowed & paid out of the publick Treasury to John Smallpiece in Answer to his Petition. [*Passed November 5.*]

Legislative
Records of the
Council, x.,
402.

House Jour-
nal, p. 37.

CHAPTER 70.

RESOLVE ALLOWING £10 TO SAMUEL CLARK.

A PETITION of Samuel Clark of Ipswich, Shewing that he was dangerously wounded in the Service against the Indian Enemy; by which he is rendered utterly unable to do any thing towards his support; And

Legislative
Records of the
Council, x.,
403.

House Jour-
nal, p. 38.

therefore Praying that this Court would consider his Circumstances & grant him the necessary Relief.

[Read and]

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury for the Relief of the Petitioner. [*Passed November 7.*]

CHAPTER 71.

RESOLVE ALLOWING £15 TO HUGH PIKE.

Legislative
Records of the
Council, x.,
404.

House Jour-
nal, p. 38.

A PETITION of Hugh Pike, Shewing that he was an Ensign in the Service under Coll. Shadrach Walton, in the last War against the Indian Enemy, that in the said Service he received several dangerous Wounds, of which he is not yet cured, but thereby rendered utterly incapable of doing any thing towards getting a support for himself & Family; And therefore humbly Praying from this Court such Relief as they shall in their great Wisdom & Goodness think fit.

Read &

Resolved that the sum of Fifteen Pounds be allowed & paid out of the publick Treasury to Hugh Pike the Petitioner for his Relief. [*Passed November 7.*]

CHAPTER 72.

ORDER FOR A NEW TRIAL ON CHRISTOPHER TAYLOURS PETITION.

Legislative
Records of the
Council, x.,
400, 406.

House Jour-
nal, p. 40.

A PETITION of Christopher Taylour of Boston, Shewing that some time in the Year 1717, a Judgment pass'd against him by Default for Seventy five Pounds, besides Costs, at the Inferior Court of Common Pleas; which was obtained by the Persons acting as Executors to his Hon^d Father (late Treasurer of this Province) James Taylour Gent. Dec^d And that the Petitioner was at the Time of obtaining the said Judgment against him, taken & in the Hands of Pirates in the West Indies, & incapable of making his Defence; And therefore Praying that the Hon^{ble} Court would in their great Wisdom & Goodness order a new Trial & Re-hearing of the Cause whereon the said Judgment was obtained, at the next Inferior Court of Common Pleas, to be held at Boston in the County of Suffolk in January next:

In Council; Read &

Ordered that the Prayer of the Petition be granted And that the Petitioner have Leave to bring in a Bill accordingly.

In the House of Represent^{ves} Read & Concur'd, The Petitioner to pay the Costs of the Prosecution that has been, if not already paid; In Council; Read & Agreed to the Amendm^t. [*Passed November 11.*]

CHAPTER 73.

VOTE ANNEXING ESTATES OF JN^o YATES, NATH^l GOULD, AND OTHERS OF HARWICH TO EASTHAM FOR PUBLIC WORSHIP.

Legislative
Records of the
Council, x.,
407.

Legislative
Records of the

Voted that the Prayer of the Petition be so far granted, as that the Petitioners & all the Inhabitants, Lands, & Estates that are or shall be included in a streight Line, to run from a Pine Tree near the Head of great Namskeket Marsh to a Rock by the Water side mark'd T, a

little to the Westward of a Point opposite to the Westernmost Point of Chequeset Neck, be annexed to the Town of Eastham, in all things relating to the publick Worship of God, but in all other respects to belong to the Town of Harwich as formerly. [*Passed November 12.*]

Council, x.,
403, 405.
House Jour-
nal, p. 41.
Ante, p. 651,
chap. 8.

CHAPTER 74.

RESOLVE ALLOWING £5. 15 TO JOHN BIGSBY.

A PETITION of John Bigsby of Boxford, Shewing that being a Soldier in the Service of the Province, in the Company of Cpt. Josiah Willard, against the Indian Enemy, in the year 1712, he was surprized and taken Captive by them, & continued in their hands for the space of three months, that he lost his Arms & Cloaths when he was taken, that he paid the sum of Five Pounds fifteen shillings for his Freedom over & above what he was allowed by the Province, that he returned to the Service under the said Cpt. Willard after his Ransom; And therefore Praying this Court to allow him what Money he disbursed for his Ransom and pay him for his Cloaths & Arms.

Legislative
Records of the
Council, x.,
411.

House Jour-
nal, p. 41.

Read &

Resolved that the sum of Five Pounds & fifteen shillings be allowed & paid out of the publick Treasury to John Bygsby the Petitioner, to reimburse him what he paid for his Ransom. [*Passed November 16.*]

CHAPTER 75.

RESOLVE ACCEPTING ACCT OF NEW WORKS BUILT AT CASTLE WM.

AN ACCOUNT of the Works & Repairs done at Castle William, by Order of the General Assembly, since the 15th Day of Novem^r 1718, Amounting to the sum of £2,117. 2. 9 Ballance due for the said Works being £761. 7. 2½.

Legislative
Records of the
Council, x.,
412.

House Jour-
nal, p. 42.

Sign'd

WM DUMMER By Order of the Comm^{tee}

[Read and]

Resolved that the said Accompt be Accepted, & that the Ballance thereof; viz, Seven hundred & sixty one Pounds seven shillings & two pence half peny be allowed & paid out of the publick Treasury to the said Committee to discharge the said Accompt, And that the sum of Forty Pounds be given to the said Committee as a Gratiuity for their Service. [*Passed November 16.*]

CHAPTER 76.

RESOLVE ACCEPTING THE COMM^{TEES} REPORT OF BURNING BILLS.

IN OBEDIENCE to an Order of the General Court at their present Session, Appointing us the Subscribers a Committee to take an Account of Province Bills of three Names, & of those that are torn, & defaced We have accordingly received of M^r Treasurer Allen the several Bills of the Denomination in the Accompt on the other Side, Amounting to the Sum of Six thousand five hundred & eighty three Pounds eight shil-

Legislative
Records of the
Council, x.,
414.

Legislative
Records of the
Council, x.,
400. House
Journal, p. 42.

lings & nine pence ; and caused them all to be burnt to Ashes ; Whereof Three thousand nine hundred & sixty Pounds fifteen shillings & eleven pence, Part of the above sum, were Bills signed with three Names only ; being in Part of £1,500 granted at the Session in October 1718, for the Exchanging the Province Bills of three Names ; And the remaining Sum of Two thousand six hundred & twenty two Pounds twelve shillings & ten pence, Bills that were received of Addington Davenport, Thomas & Edward Hutchinson Esq^{rs} & M^r John White Trustees for the £50,000 Loan, Making in the Whole Six thousand five hundred and eighty three Pounds eight shillings & nine pence : As Witness our Hands the sixth Day of Novem^r 1719 :

(Sign'd)¹

THO. HUTCHINSON

JOHN FOYE

JOHN GARDNER

OLIVER NOYES

CHARLES CHAMBERS

W^m DUDLEY

THO. FITCH

JONATHⁿ BELCHER

ELISHA COOK

Read &

Resolved that this Report be Accepted, & that the Treasurer be discharged accordingly. [*Passed November 17.*]

CHAPTER 77.

ORDER FOR RUNNING THE LINE ON NEW HAMPSHIRE.

Legislative
Records of the
Council, x.,
415.

Legislative
Records of the
Council, x.,
409, 410, 414.
House Jour-
nal, pp. 43, 44.

IN THE HOUSE OF REPRESENT^{ves} Whereas for divers Years past there has been uncomfortable Difference between this Governm^t & the Governm^t of New Hampshire relating to the Bounds between them to the Disturbance of many Inhabitants dwelling near said Bounds ; For Remedy whereof,

Ordered that Addington Davenport, Elisha Cook & William Dudley Esq^{rs} be a Committee fully impowered to join with a Committee of the said Governm^t of New Hampshire to run state, & mark out the Divisional Line & Boundaries between this Province & the said Province of New Hampshire, and to pursue & follow the Directions & Rules of the Royal Charter of this His Majestys Province as near as may be in their Proceedings therein ; & make Report of their Doings to this Court, for Confirmation : In Council ; Read & Concur'd, &

Ordered that Thomas Fitch Esq^r & Cpt. John Gardner be joined with the Committee on the Affair above.

[In the House of Representatives, Read and concurred.] [*Passed November 17.*]

CHAPTER 78.

VOTE FOR SENDING A LETTER TO THE GOV^s OF RHODE ISLAND ABOUT THE LINE.

Legislative
Records of the
Council, x.,
417.

Legislative
Records of the
Council, x.,
404. House
Journal, p. 44.

Voted that the Secretary send a Letter by Express to the Governor of Rhode Island in Answer to his Letter about running the Line, &c, Signifying that this Governm^t are willing to join in the Review of the ancient known Bounds between this Governm^t & that, where the late Colony of New Plymouth toucheth on that ; but that the Time appointed is too near ; And therefore to propose that the said Service be attended the first Wednesday of January next. [*Passed November 18.*]

¹ The first name, according to the State Library copy (Legislative Records of the Council, x., 478), is Penn Townsend, who, by both copies, was of the committee.

CHAPTER 79.

VOTE FOR RUNNING THE LINE ON NEW YORK COLONY.

WHEREAS the divisional Line and Boundaries between this Province & the Province of New York have never been run, marked out & stated; And new Plantations are issuing forth from that Governm^t as well as this; [To the Intent there may be no Trespassing from or on either Governm^t]¹

Legislative
Records of the
Council, x.,
417.
House Jour-
nal, p. 43.

Ordered that Samuel Thaxter, William Dudley & John Stoddard Esq^{rs} be a Committee to join with such as the Governm^t of New York shall appoint to run & settle the Divisional Line & Boundary between the s^d Provinces, Pursuant to their respective legal Grants. [*Passed November 19.*]

CHAPTER 80.

VOTE FOR RUNNING THE LINE ON RHODE ISLAND COLONY.

Ordered that Nathaniel Byfield & Samuel Thaxter Esq^{rs} be a Committee to join with a Committee of the Governm^t of Rhode Island in Reviewing the Bounds between this Government & that, where the late Colony of New Plymouth toucheth that Government, Pursuant to the Vote of this Day.² [*Passed November 19.*]

Legislative
Records of the
Council, x.,
418.

Legislative
Records of the
Council, x.,
404. House
Journal, p. 44.
Ante, p. 680,
chap. 78.

CHAPTER 81.

ORDER FOR SELLING THE PROVINCE LAND NEAR OXFORD LEICESTER &c.

COLL. DUDLEY, from the Committee appointed by an Order of the House of Represent^{es} Dated June 11. 1719, to take a Plat of the Lands lying between the Towns of Oxford, Leicester & Brookfield,³ presented to the said Court a Plat of the said Land, Containing the Quantity of Ten thousand seven hundred & fifty one Acres.

Legislative
Records of the
Council, x.,
418.

House Jour-
nal, pp. 15, 40.

Ordered that the said Ten thousand seven hundred & fifty one Acres be sold to the highest Bidders, The Produce to be returned into the publick Treasury for the Use of the Province; And that William Dudley Esq^r Thomas How & Major Thomas Tilestone be a Committee to make Sale of the said Land to such Persons as are most likely to settle on it; No one Person to purchase above the Quantity of Three hundred Acres; Saving that Four hundred Acres may be laid out in the said Tract in such convenient Place & Form as shall be approved of by the said Committee, to fulfill that Half of the Grant of Eight hundred Acres made to Herbert Pelham Esq^r which fell to Isaac Winslow Esq^r and his Sister. [*Passed November 19.*]

¹ The words in brackets, which are not in the Secretary's copy, are found in the State Library copy, Legislative Records of the Council, x., 481.

² Yesterday? See chap. 78.

³ *Quære*, if this should not be Brimfield? See Province Laws, x., 87, chap. 16.

CHAPTER 82.

VOTE ON NATICK PETITION FOR SALE OF LAND, PROCEEDS TO BE USED FOR REPAIR OF MEETING HOUSE.

Legislative
Records of the
Council, x.,
420.

House Jour-
nal, p. 38.

A PETITION of Samuel Ompatum, Thomas Pegan & Benjamin Tray Indian Inhabitants & Proprietors of the Town of Natick, within the County of Middlesex, in behalf of the said Town, Shewing that the Meeting house formerly erected for the Worship of God in the said Town of Natick is of late so gone to Decay that, unless it be speedily repaired, it will by no means be sufficient to answer the good End for which it was erected; the Ground Cells being so rotten, that it is in danger of falling down; the Boards shattered & falling off, & the Windows broken down, & so open that the Rain & Snow drives all over the House, so that the Seats & Floors are much damnified; And therefore humbly Praying Leave of this Hon^{ble} Court, that by the Assistance of some suitable & proper Person or Persons (such as the Court shall appoint) they may sell some small Quantity of Land, belonging to the said Town of Natick, where it may be best spared; not exceeding twelve Acres; The Money to be wholly improved in the speedy repairing the said Meeting house, as soon as the Season of the Year will allow the same to be effected.

Read &

Resolved that the Prayer of the Petition be granted, & that Francis Fulham Esq^r be appointed to take Care that the Sale be just & equal, & the Purchase Consideration be duly & seasonably employed for the good Use mentioned in the Petition. [*Passed November 21.*]

CHAPTER 83.

ORDER ON HATFIELD PETITION FOR SURVEY OF LAND BETWEEN HATFIELD AND NORTHAMPTON.

Legislative
Records of the
Council, x.,
420, 421.

Legislative
Records of the
Council, x.,
419. House
Journal, p. 47.
Ante, p. 658,
chap. 22.

Ordered that Major John Chandler with such others as the Hon^{ble} House shall join be a Committee to survey the Land & Line in Controversy between Northampton & Hatfield, to view the Records & Evidences relating thereunto, and upon the whole, to report where the Station, in order to run the Line of nine Miles from Connecticut River, on the North Bounds of Northampton ought to be or commence, or what else may be thought convenient to be done relating to the present Controversy between Northampton & Hatfield.

In the House of Represent^{ves} Read &

Voted a Concurrence, & that William Dudley & Thomas Wells Esq^{rs} be joined in the Affair; The Charge of the Committee to be born as this Court shall direct, after they have recieved the said Report: In Council; Read & Agreed to. [*Passed November 23.*]

CHAPTER 84.

RESOLVE ALLOWING £132. 2. 1 IN DISCHARGE OF ACCT OF CHARGE IN SURVEY^a PROVINCE LAND BETWEEN NORTHF^b & MERRIMACK.

AN ACCOMPT of John Stoddard, Francis Fulham & John Shipley the Committee sent by an Order of this Court the last Session, to take a Survey of the Land between Northfield & Merrimaek River &c, of their Time, Charge of Subsistence, of the Survey^r & of several other Men, & of Horses that attended them in that Service, Amounting to the sum of £132. 2. 1.

[Read and]

Resolved that the Sum of One hundred thirty two Pounds two shillings & one penny be allowed & paid out of the publick Treasury to the said Committee to discharge the said Accompt. [*Passed November 23.*]

Legislative
Records of the
Council, x.,
421.

Legislative
Records of the
Council, x.,
417., House
Journal, p. 46.
Ante, p. 654,
chap. 14.

CHAPTER 85.

ORDER FOR A FEE FOR PUBLICK HEARINGS OF PETITIONS &c.

WHEREAS during the Sitting of the Gen^l Assembly the Time of the Court is taken up with, & the Charge of the Province increased by Hearings had upon private Petitions & Controversies; It is

Resolved that for the future, before any Hearing on any private Petition or Controversy, a Sum of Money not exceeding Ten Pounds, & not under Five Pounds (as shall be ordered by the Court) be paid by the Petitioner or Petitioners, one Half to the Secretary, & the other Half to the Clerk of the House of Represent^{ves} to be disposed of as each House shall direct; Provided that no Hearing be hereby debar'd that shall be judged proper to be granted [in]¹ Formâ Pauperis. [*Passed November 24.*]

Legislative
Records of the
Council, x.,
422.

House Jour-
nal, p. 48.

CHAPTER 86.

RESOLVE ALLOWING £12. 15. 11 TO JN^o MARION.

AN ACCOMPT presented by John Marion of fresh Meat &c sent down to the Hospital on Spectacle Island for the Relief & Refreshment of the Passengers lately arrived there, Pursuant to an Order of this Court, Amounting to the Sum of £12. 15. 11.

[Read and]

Resolved that the sum of Twelve Pounds fifteen shillings & eleven pence be allowed & paid out of the publick Treasury to M^r John Marion the Accomptant to discharge the said Account. [*Passed November 24.*]

Legislative
Records of the
Council, x.,
423.

House Jour-
nal, p. 48.
Ante, p. 677,
chap. 68.

CHAPTER 87.

RESOLVE ACCEPTING THE REPORT OF THE LINE BETWEEN SUTTON & HASSANIMISCO.

WE THE SUBSCRIBERS, being appointed a Committee by the General Court, in their Sessions in May last, to run the Line between the Town of Sutton & Hassanimisco; In Obedience to the Order of the General

Legislative
Records of the
Council, x.,
424.

¹ State Library copy, Legislative Records of the Council, x., 487.

House Journal, p. 48.
Ante, p. 665,
 chap. 37.

Court, we began at the Sotheast Corner, being a Pine Tree on a Rocky Hill, & proceeded Northward (as the old Plan describes) to the North-east Corner, being a Heap of stones on a Rock, The Distance four miles; Thirty six Perch Allowance for Loss in the Measure: And turned West by the Needle; & measured four Miles, with thirty rods Allowance, to an Heap of Stones; Which was fifty five Perch Eastw^d of Chandlers Line; & Seventy Perch Southward of his North Line, as per the Plat herewith exhibited appears: And we turned South & measured Four Miles & came to an Heap of stones, ninety Perch South of the River; & a little to the Southward of a small Pine Swamp, & North of a little Brook; And then we began at the first Corner, being a Pine aforesaid, & closed this South Line to the last Heap of Stones; & finished our Work

Sign'd

SAM^L THAXTER
 W^M DUDLEY.

Read &

Resolved that this Report be Accepted; And that the Line between the Town of Sutton & the Indian Plantation of Hassanimisco; And the Bounds of the said Hassanimisco be stated, confirmed & settled according to this Report & Plat. [*Passed November 24.*]

CHAPTER 88.

RESOLVE ALLOWING £11. 6 IN DISCHARGE OF ACC^T OF CHARGE IN RUNNING SAID LINE.

Legislative
 Records of the
 Council, x.,
 424.

House Journal, p. 48.
Ante, p. 683,
 chap. 87.

AN ACCOMPT of the Charge of the Committee appointed to run the Line between Sutton & Hassanimisco, Amounting to the sum of £11. 6.

[Read and]

Resolved that the sum of Eleven Pounds and six shillings be allowed & paid out of the publick Treasury to the Hon^{ble} Samuel Thaxter Esq^r to discharge this Accompt. [*Passed November 24.*]

CHAPTER 89.

ORDER ON MOSES WORSTERS PETITION FOR SALE OF LAND FOR HIS SUPPORT.

Legislative
 Records of the
 Council, x.,
 423, 427.

House Journal, p. 49.

A PETITION of Moses Worster of Kittery, Shewing that he, being aged & incapable of Labour, did in the Life time of his Son Thomas Worster, give & grant unto him, his Heirs & Assigns his Estate in Berwick in the County of York, to have & to hold for ever in Consideration of his Sons subsisting him in Sickness & in Health, during his natural Life; but it having pleased God to take out of the World the said Thomas Worster the Petitioners Son by sudden Death, the Widow is thereby reduced to a helpless Condition, having several Children to maintain & no means to support them; And therefore Praying that this Hon^{ble} Court would upon Examination of the Instrument refer'd to, order that so much of the said Estate granted by the Petitioner to his said Son, upon the Condition afore said, as may be sufficient to make good the said Condition, may be sold, & applied for that Use, the Petitioner being eighty Years old, or that he may be otherwise relieved, as to this Court shall seem meet.

Read, & in answer to this Petition,

Ordered that if the Widow of Thomas Worster do not within three months from the End of this Session of the General Assembly, take effectual Care, to the Satisfaction of Joseph Hammond & Charles Frost Esq^{rs} for the Support of her aged Father in Law, during his natural Life, Then & in case of her Neglect or Refusal so to do, that the said Joseph Hammond & Charles Frost be impowered to mortgage, or sell out right, so much or such Part of the Lands mentioned in the Petition, & conveyed by Deed to his Son Thomas deceased as the said Trustees shall judge necessary for the Support of the said Moses Worster, during his natural Life; & the Money so raised be applied to that Use; And in case there be any Part of the Money so raised left in the hands of the said Trustees at the Time of the Death of the said Moses Worster, the same be applied to the Use of the said Thomas Worster Children; The Trustees to take Care in the Sale of the Land that it be with the least Prejudice to the whole. [*Passed November 25.*]

CHAPTER 90.

ORDER APPOINTING A COMMITTEE FOR RUNNING THE LINE BETWEEN WRENTHAM & ATTLEBORO.

In the House of Represent^{ves}

Ordered that the Hon^{ble} Samuel Thaxter Esq^r & William Dudley Esq^r be a Committee carefully to inquire into, run & settle the Divisional Line between the Townships of Wrentham, Attleboro &c, from Angle Tree to Pautucket River, Giving Notice to the Towns concerned when they attend the said Service; & make Report of their Doings to the Court with their Opinion, by what Towns & in what Proportion the Charge ought to be born: In Council; Read & Concur'd; &

Legislative
Records of the
Council, x.,
425.

Mass.
Archives,
ccxliii., 24.
Legislative
Records of the
Council, x., 425
bis. House
Journal, p. 49.
Ante, p. 673,
chap. 55.

Ordered that William Basset Esq^r be added to the Committee.

In the House of Represent^{ves} Read & Concur'd; & further

Ordered that no Grant be taken up on any ungranted Lands that may be found by the said Committee; Any two to act the other being notified.

In Council; Read & Concur'd. [*Passed November 25.*]

CHAPTER 91.

VOTE ACCEPTING THE REPORT ON THE AFFAIRS OF THE EASTERN FRONTIERS.

PURSUANT to an Order of the Great & General Court in their present Session, appointing us to consider & lay before the Court what We think proper to be done for suppressing the Insolencies of the Kennebeck Indians, & Protecting the Frontiers, We are humbly of Opinion, that it is necessary, for suppressing the Insolencies of the Kennebeck Indians, that some Gentlemen of Distinction, that are disinterested, be sent without Loss of time, to meet the Chiefs of the Indians of Norridgewock at Brunswick, or some other convenient Place, as the Govern^{mt} shall direct; to inquire into the Reasons of the Insults made by the Indians upon His Majestys good Subjects, & what Grounds they have so to do, & to bring things to a good Settlem^t & Agreem^t so far

Legislative
Records of the
Council, x.,
426.

Legislative
Records of the
Council, x.,
420. House
Journal, p. 50.

as concerns any Quarrels or Abuses on either side, & to let them know, we desire to improve no more Land than we have a good Right to ; And that they be attended with a Company of effective Men, consisting of fifty, under the Command of suitable Officers, to be enlisted, if it may be, otherwise, detached ; & that a private Centinels Pay be raised from Twenty four to Thirty two shillings per Month, & the Officers in proportion ; That His Excellency the Governour be desired to give Instructions to the Committee to post the Men at the most convenient Place or Places, where the best Prospect may be for the public Service ; & to draw off all or any Part of the said Soldiers as they shall think fit ; That effectual Care be taken that what Settlements are making or shall be made from time to time may be in a compact, regular & defensible manner ; That the Trade with the Indians be put under a better Regulation ; That effectual Care be taken to prevent their being abused with strong Drink ; That it be an Instruction to the Commissioners to use their best Endeavours to moderate the Chiefs of the Indians with respect to the State of Affairs in Europe ; And whereas some of them are desirous of going to Great Britain that they be encouraged & supported therein, Provided they be some of their principal Men ; That his Excellency be requested to tak proper Measures with his Majestys Governm^t of New Hampshire that they send their Quota, they being so immediately concerned in the Affair ; That a friendly Letter be written to the Penobscot Indians in Answer to theirs ; Assuring them that their peaceable Temper & Disposition towards Us is acceptable to us ; & whilst it continues they may depend upon the Justice & Friendship of this Governm^t All which is humbly submitted.

In the Name & by Order of the Comm^{tee}
(Sign'd)

NATH^l BYFIELD.

Read & Accepted. [*Passed November 25.*]

CHAPTER 92.

ORDER ON MEM^o OF GYLES DYER ESQ^r COLONEL OF THE TROOP OF GUARDS, FOR CERTAIN EXEMPTIONS.

Legislative
Records of the
Council, x.,
428.

House Jour-
nal, p. 50.

A MEMORIAL of Gyles Dyer Esq^r Colonel of his Excellencys Troop of Guards, in behalf of him self & Company, Setting forth that the said Company have been excused from Watching & Warding or Paying any thing towards the Charge of a Watch in the Town of Boston in Consideration of their frequent Services by Direction of the Governor for the general Good of the Province, till of late, the Assessors of the said Town have rated the said Troop their Proportion of the Charge of the Town Watch ; which has been done for three years last past ; That unless the said Troop find some Relief & Ease, they will be much discouraged ; And therefore humbly Proposing to this Hon^{ble} Court, that the said Troop of Guards may be exempted from paying any thing towards the Charge of the Watch, & excused from serving as Constables & Jury Men ; Which Privileges would encourage the Persons belonging to the said Troop, to keep good Horses suitable for his Excellencys Life Guard, & make a suitable & decent Appearance, & perform their Service more readily & cherfully at all times when the Occasions of the Governm^t may call them thereto, & much augment the Number of the said Troop ; and the Memorialist could then be more forward in obliging the said Troop to furnish them selves with all things necessary for such a Guard.

In Council ; Read &

Ordered that the Prayer of the Petition be granted.

In the House of Represent^{ves} Read & Concur'd so far as that they be [freed]¹ from serving as Constables & Jury Men : In Council ; Read & Concur'd. [*Passed November 25.*]

CHAPTER 93.

RESOLVE ACCEPTING ACCT^{ts} OF THE COMMISS^{rs} OF THE £100,000 LOAN FOR YORK CO.

THE ACCOMPTS of Abraham Prebble, John Leighton, Samuel Came & Samuel Plaisted Commiss^{rs} of the £100,000 Loan for the County of York ;

Legislative
Records of the
Council, x.,
429, 437.

[Read and]

House Jour-
nal, p. 49.

Resolved that the above mentioned Accompts be Accepted & Approved, & the Commission^{rs} the Accomptants accordingly discharged of the sum of Fifty seven Pounds three shillings & six pence Interest received, when they have paid the Treasurer Fifty Pounds nineteen shillings & nine pence ; The Charges allowed them being Six Pounds one shilling & nine pence ; there still remaining in their hands Three Pounds & Ten shillings of the Principal. [*Passed November 26.*]

CHAPTER 94.

VOTE ON THE REPORT ABOUT SALEM PRECINCTS.

PURSUANT to an Order of the General Court, Appointing us a Committee to go to Salem, & there inform our selves of what is necessary, & to make Report what Line we think proper to run between the first Parish & the Eastern Parish in the said Town of Salem ; We the said Committee having attended that Service, viewed the Town and heard the Parties, do humbly report as follows ;

Legislative
Records of the
Council, x.,
429, 431.

Legislative
Records of the
Council, x.,
411. House
Journal, pp. 43,
53. *Ante*,
p. 654, chap. 13.

That the East Parish be set off at a Line beginning at the South River, taking in Loders Lane, & so running Westward of Coll. John Higginsons House, thro' the Training Field to old M^r Higginsons House, & then running South westerly to Marstons Corner & thence down to the North River, & so to Beverly Ferry, Excepting that the Homestead of the Hon^{ble} John Higginson Esq^r (which will ly in the East Parish) shall be reckoned to belong to the West Parish, & shall contribute to the Maintenance of the Minister there ; during the natural Life of the said John Higginson & the Life of his immediate Children who shall be in actual Possession thereof ; & the same Exception for M^r Miles Ward, living on the West side of the Line ; That his Homestead shall notwithstanding belong to the East Parish, & shall contribute to the Ministry there during his Life, & the Life of his Children being in Possession thereof, as afore said ; Excepting also all such Persons in the Lands beginning at Marstons Corner & running Easterly & Northerly who have contributed towards the Building the Westernmost Meeting House during their natural Life.

Notwithstanding the Proposal of the divisional Line above said, We are humbly of Opinion (if it be consistent with the Peace of the Town) that each of the Ministers in said Town should be supported according

¹ State Library copy, Legislative Records of the Council, x., 496.

to the Agreeem^{ts} made with them severally by a Rate on the whole Town; & that when the first Church shall see cause to call & settle an other Minister, he shall likewise be maintained in the same manner, which the Gentlemen in the Eastern Part of the Town seem very willing to & desirous of, altho they may be allowed but one them selves.

(Sign'd) { JOHN APPLETON ELISHA COOK
Salem Novem^r 25. 1719 { JOHN CLARK CHA. CHAMBERS
 ADDIN. DAVENPORT RICH^d KENT.

In Council Read &

Ordered that the first Part of the Report, which relates to the settling the Line between the two Parishes with the Reservations be Accepted.

In the House of Represent^{ves} Read & Concur'd; And further

Voted that the Eastern Parish, set off as afore said be invested with all Powers & Authorities of a Precinct; to do all that is usual, proper, & necessary for the Support of the publick Worship of God: In Council; Read & Concur'd. [*Passed November 27.*]

CHAPTER 95.

RESOLVE ALLOWING £14. 2. 6 TO D^r EBEN^r ALLEN.

Legislative
Records of the
Council, x.,
431.

House Jour-
nal, p. 52.

AN ACCOMPT of Ebenezer Allen Surgeon of Medicines & Applications to fifteen Soldiers that were sick when in the Service under Capt. Bane the last Summer, Amounting to the sum of £14. 2. 6.

[Read and]

Resolved that the sum of Fourteen Pounds two shill^{ds} & six pence [be]¹ allowed & paid out of the publick Treasury to Ebenezer Allen the Accompt^{mt} to discharge the said Accompt. [*Passed November 27.*]

CHAPTER 96.

ORDER ON THE PETITION OF JOHN DARLING & OTHERS OF DEDHAM, CREATING A TOWN TO BE CALLED BELLINGHAM.

Legislative
Records of the
Council, x.,
431.

House Jour-
nal, pp. 51, 53.

A PETITION of John Darling & sundry others, being Inhabitants of Dedham, Wrentham & Mendon, Shewing that the Petitioners are situate at a remote distance from the respective Towns to which they belong; viz, the Inhabitants of Dedham, to the Number of Twenty three Families, are distant twelve miles from the Meeting house in the said Town, they of Wrentham, to the Number of thirteen Families at seven miles distance, & several of the Town of Mendon at five miles distance from the Meeting house in the said Town; By reason of which their distance they have little benefit from any Town Privileges especially as to the Schools in the said Towns; That the whole Number of Families belonging to the said Towns. as afore said, is at least forty; & Lands already laid out to accomodate twenty or thirty more; And that the Inhabitants of Dedham (being Petitioners) have already obtained the Consent of the said Town to be set off from them, And therefore Praying that this Hon^{ble} Court would in Consideration of their present difficult Circumstances grant that the above mentioned Tract of Land being Part of the three Towns before mentioned, & as described in the Plat hereunto annexed be incorporated together and

¹ State Library copy, Legislative Records of the Council, x., 500.

erected into a Township, & vested with all Privileges & Immunities belonging to a Town that so they may be enabled to settle the Worship of God among them & likewise that they may be exempted from paying publick Taxes for some convenient time, as to the Wisdom of this Court shall seem most fit.

Read &

Ordered that the Prayer of this Petition be granted, & that a Township be erected & constituted according thereunto, & the Plat above, Provided they procure & settle a learned orthodox Minister within three years nex Coming; & that John Darling, John Thomson & John Marsh be impowered to call a Town Meeting any time in March next, to chuse Town Officers, & manage the other prudential Affairs of the Town; The Name of the Town to be called Bellingham. [*Passed November 27.*]

CHAPTER 97.

RESOLVE ALLOWING £19. 10. 6 TO THE COMM^{TEE} FOR EAST^N SETTLEM^TS.

A PETITION of John Wheelwright, Abraham Prebble, Lewis Bane, John Leighton & Joseph Hill, a Com^{tee} for regulating the Eastern Settlements in the County of York, Shewing that they did by Order of this Court in the Year 1718, proceed to run out the Bounds of the Town of Falmouth in Casco Bay, & made Return thereof into this Court; Which was Accepted; For which they have as yet had no Consideration, Praying that this Court would allow & order Payment of the Accompt annexed of their Time & Charges in the said Affair, Amounting to the Sum of Twenty one Pounds two shillings & six pence.

Read &

*Resolved*¹ that the sum of Nineteen Pounds ten shillings & six pence be allowed & paid to the Petitioners for running out the Bounds of the Town of Falmouth in Casco Bay, by the Inhabitants of the said Town, at whose Request & Application the Service was performed, & that the Select men of the said Town take Care that Provision be made to discharge the same in the next Town Rate. [*Passed November 28.*]

CHAPTER 98.

RESOLVE ALLOWING £55 TO GEO. WORTHILAKES ESTATE.

Resolved that the sum of Fifty five Pounds be allowed & paid out of the publick Treasury in full discharge of the Salary due for George Worthylake Dec^d as well as the Work done by the Deceased on Beacon Island. [*Passed November 28.*]

Legislative
Records of the
Council, x.,
433.

House Jour-
nal, p. 53.
Ante, p. 621,
chap. 89.

Legislative
Records of the
Council, x.,
433.

Legislative
Records of the
Council, x.,
407. House
Journal, p. 53.

¹ "Ordered," in House Journal.

CHAPTER 99.

ORDER ON JN^O BARRELS PETITION IMPOWERING HIM TO SELL MORTGAGED LAND, IN DISCHARGE OF MORTGAGE.

Legislative
Records of the
Council, x.,
433.

House Jour-
nal, p. 53.

A PETITION of John Barrel, Shewing that Mary Ardel the Petitioners Mother in Law, did in & by a certain Instrument in Writing give & grant to the Petitioner & Abiah his Wife, late Deceased (w^{ch} Abiah was only Daughter to the said Mary Ardel) three several Tenements & the Land under & thereto belonging, situate & lying in Cornhill Boston, to be holden by the Petitioner & his late Wife Abiah & to the Heirs & Assigns of the said Abiah for ever, as by the said Instrument may appear; that the said Tenements were laid wast & consumed by the late Fire in Boston, in the Year 1711, That the Petition^r & his said Wife did, in her Life time, see cause for the Benefit of them selves & Children, to build with Brick on the said Land; & did expend of their own Money the sum of Four hundred Pounds, & took up at Interest the sum of Five hundred Pounds more; for which they have mortgaged two of the said Tenements to M^r Thomas Clark; which he has now taken in Execution for Six hundred & eighty Pounds, whereas the said Estate is worth One thousand Pounds, & that the Petitioner by long sickness, & by other Disappointm^{ts} is render'd utterly unable to redeem the said Estate; And therefore Praying that this Hon^{ble} Court would please to authorize him to make Sale of the said Estate by sufficient Deed or Deeds in the Law; & that the Surplusage, if any happen, after the said Clark is satisfied his Mortgage, be reserved with the Income of such Remainder for the Use of the Petitioner & the bringing up his Children, & at the Decease of the Petitioner, to revert to the right Heirs of the said Abiah his late Wife:

Read &

Ordered that the Petition^r be impowered to make Sale of the Estate Mortgaged, in order to discharge the said Mortgage; And that he give Security to the Judge of Probate for the County of Suffolk for the Overplus, that the Principal at his Death come to, & be divided among the Heirs of Abiah his late Wife And the Petitioner have leave to bring in a Bill accordingly. [*Passed November 28.*]

CHAPTER 100.

RESOLVE ALLOWING £12 TO SAM^L BILL.

Legislative
Records of the
Council, x.,
434.

House Jour-
nal, p. 53.
Ante, p. 596,
chap. 19.

A PETITION of Samuel Bill of Boston, Shewing that upon his Petition to the General Assembly, at their Session, in October 1718, he obtained a Vote for Three Pounds, as a Recompence for damage sustained from those that were ordered by this Governm^t to abide on Spectacle Island; that he humbly conceives his Allowance would have been much greater, had he particularly set forth his Damage, which is as follows; While the Hospital was building on said Island, seventy Passengers from Ireland in a Vessel that had the Small Pox were put on shoar on the Island by Order of the Governm^t & tarried there six Weeks in which time they trod down several Acres of Grass, fit for Mowing, & cut down nine or ten large Trees, that some of the poor People being sick & in perishing Circumstances, the Petitioner spent above Three Pounds in relieving them, that since the building of the Hospital the Petitioner supplied it with Water, & has been serviceable in making Fires, & looking after

the said Hospital, the Key thereof being committed to him, and that he takes Care that it be wholsom & fit for the Reception of the sick People, And therefore humbly Praying that this Hon^{ble} Court would consider his Losses, & how slender an Allowance has been already made for the same, & seeing they have been occasioned by the Act of the Governm^t in placing the Hospital on the said Island & ordering sick People there, that they would in their great Justice & Goodness order such an Allowance as they shall think proportionable to his Services & Damages as afore said.

Read &

Resolved that the sum of Twelve Pounds be allowed & paid out of the publick Treasury to Samuel Bill the Petitioner in full of all Damages mentioned in his Petition. [*Passed November 28.*]

CHAPTER 101.

VOTE FOR MAKING £2,000 IN BILLS OF CREDIT: RESOLVE FOR EMITTING £10,000 IN BILLS OF CREDIT AND PROVIDING SECURITY.

Resolved that the sum of Two thousand Pounds of Bills of publick Credit on this Province be further & forthwith made, One thousand Pounds thereof to be printed of from the Middle Plate, & One thousand Pounds thereof from the lowest Plate, by the Committee that made the last Bills; to be paid there for as for the last Bills they made; that they deliver them to the Treasurer, Taking his Receipt for the same;

Legislative
Records of the
Council, x.,
436.

House Jour-
nal, p. 45.
Province
Laws, ii., 162.

That the Treasurer be & hereby is directed to issue forth and Emit the said Two thousand Pounds of Bills together with Eight thousand Pounds more of Bills of publick Credit, that are or shall be received into the Treasury; for Payment of the publick Debts of the Province already contracted, for the Defence & Support of the Governm^t & the Protection & Preservation of the Inhabitants of this Province, & for subsisting of Forts & Garrisons, & Wages arising for their Service, For Payment of Grants, Salaries & Allowances made & to be made by this Court, according to such Draughts as shall be made on him from time to time by Warrant or Order of the Governor or Commander in Chief for the time being, by & with the Advice & Consent of the Council: And that the said Bills shall pass out of the Treasury at the Value therein express'd, Equivalent to Money; & shall be taken & accepted in all publick Payment at the Advance & after the Rate of Five Pounds per Cent. more

And as a Fund & Security for the same, There be & hereby is granted to his most Excellent Majesty to the Ends & Uses as afores^d a Tax of Ten thousand Pounds to be levied on Polls & Estates both Real & Personal within this Province, according to such Rules & in such proportion upon the several Towns & Districts within the same as shall be agreed on & ordered by the Great & General Court or Assembly of this Province at their Session in May 1723, & paid into the Treasury on or before the last Day of December next after. [*Passed December 1.*]

CHAPTER 102.

RESOLVE ACCEPTING ACC^{TS} OF THE COMMISS^{RS} OF THE £100,000 LOAN FOR SUFFOLK.

Legislative
Records of the
Council, x.,
437.

House Jour-
nal, p. 55.

THE ACCOMPTS of the Commissioners of the £10,000¹ Loan for the County of Suffolk, from Febr̄y. 13. 1716, 17, to Febr̄y. 13. 1717, 18.

[Read and]

Resolved that the said Accompts be Accepted & Approved; & that the said Comissioners the Accomptants be discharged of the sum of Eleven hundred & forty two Pounds fourteen shillings & eleven pence Interest received, when they have paid the Treasurer the sum of Nine hundred & sixty four Pounds seventeen shillings & four pence; The Charges allowed them being One hundred seventy seven Pounds seventeen shillings & seven pence, There remaining the sum of Eighty four Pounds ten shillings & seven pence out standing Interest to be accounted for. [*Passed December 2.*]

CHAPTER 103.

RESOLVE ACCEPTING ACC^{TS} OF THE COMMISS^{RS} OF THE £100,000 LOAN FOR MIDDLESEX.

Legislative
Records of the
Council, x.,
437.

House Jour-
nal, p. 56.

THE ACCOMPTS of the Commissioners of the £100,000 Loan for the County of Middlesex from Febr̄y. 13. 1716, 17, to Febr̄y. 13. 1717, 18.

[Read and]

Resolved that the said Accompt be Accepted & Approved, & the Comissioners the Accomptants be accordingly discharged of the sum of Three hundred ninety six Pounds, fourteen shillings & two pence Interest received, when they have paid the Treasurer the sum of Two hundred eighty five Pounds seventeen shillings & ten pence; The Charges allowed them being One hundred & ten Pounds sixteen shillings & four pence. [*Passed December 2.*]

CHAPTER 104.

RESOLVE ACCEPTING COMMISS^{RS} OF £100,000 LOAN FOR ESSEX Y^R ACC^{TS}.

Legislative
Records of the
Council, x.,
438.

House Jour-
nal, p. 56.

THE ACCOMPTS of the Comissioners for the £100,000 Loan for the County of Essex, from Febr̄y. 13. 1716, 17, to Febr̄y. 13. 1717, 18.

[Read and]

Resolved that the said Accompts be Accepted & Approved; & the Comissioners the Accomptants be accordingly discharged of the sum of Three hundred sixty four Pounds one shilling & eleven pence Interest received, when they have paid the Treasurer the sum of Two hundred sixty eight Pounds eight shillings & seven pence; the Charges allowed them being Ninety five Pounds thirteen shillings & four pence; the sum of Four Pounds fourteen shillings & four pence Outstanding Interest, The sum of Seven thousand five hundred twenty eight Pounds & ten shillings Bills not yet let out, & Five hundred eighty seven Pounds & ten shillings Principal received in being to be accounted for. [*Passed December 2.*]

¹ A mistake for £100,000.

CHAPTER 105.

ORDER ON GYLES DYERS PETITION IN REGARD TO JUDGMENTS
BETWEEN HIM AND JOHN BARNARD.

A PETITION of Gyles Dyer Merch^t Shewing that at an Inferiour Court held at Boston for the County of Suffolk on the first Tuesday of October last past, he recovered Judgment against John Barnard late of Boston Merchant for the sum of Two hundred eighty four Pounds twelve shillings & nine pence; That at the same Court the said John Barnard recovered Judgment against the Petitioner in three Actions for the sum of Two hundred & ninety Pounds; but so it is, that the said Barnard is absconded, so that the Petitioner can receive no Benefit by his Judgment against Barnard, altho he has taken out Execution thereupon; but the Petitioner will be liable to the Execution of the said Barnard upon his three Actions, when Judgment should be made up thereon, the same being respited by the Judges of the Superior Court till the Court shall meet upon their adjournm^t upon the Petitioners humble Petition to the Judges; That the said Barnard will leave an Attorney to receive the Money recovered against the Petitioner, on purpose to defraud him; who will be left without Remedy unless relieved by this Hon^{ble} Court, And therefore humbly Praying that An Act may be made for his Relief; which may order the said Money levied by the said Barnards Executions, to be lodged in the Superior Court, that so it may be subjected to the Petitioners Execution, or otherwise, as to the Justice & Wisdom of this Hon^{ble} Court may seem most proper & fitting.

*Ordered*¹ that the further Consideration of this Petition be refer'd to the next Session of this Court, & that in the mean time Executions be stayed on both Sides. [*Passed December 2.*]

Legislative
Records of the
Council, x.,
430, 438.

Legislative
Records of the
Council, x.,
431. House
Journal, p. 57.

CHAPTER 106.

VOTE ON SAM^l COMSTOCKS PETITION, CONFIRMING TITLE TO LAND.

A PETITION of Samuel Comestock of Providence in the Colony of Rhode Island, Shewing that the Petitioner with others had formerly a Tract of Land, containing about Nine hundred Acres, granted & laid out to them by the Town of Providence near Patucket; Which in the running & settling the divisional Line between the said Colony & this Province happens to fall to the Northward of the said Line, & so within this Province And therefore Praying on behalf of himself & others concerned, that altho the said Tract is now settled under the Jurisdiction of this Province, they may suffer no Molestation or Trouble in their Property, Right or Title to or Enjoyment of the said Land, but be confirmed & established therein, Being ready at all times to submit to the Laws of this Province:

Read &

Voted that it is reasonable that the Nine hundred Acres of Land mentioned in this Petition or so much thereof as was in the Year 1707, laid out within this Province, to satisfy in part the Grant of One thousand Acres, made by the Town of Providence to the Petitioners, be confirmed to them, Provided the Nine hundred Acres are laid out in

Legislative
Records of the
Council, x.,
438.

Legislative
Records of the
Council, viii.,
316, 323, 324.
House Jour-
nal, p. 55.
Province
Laws, viii.,
201, chap. 99;
239, chap. 33;
241, chap. 41;
249, chap. 68.

¹ An order of hearing and of notice to Barnard, passed November 26, having failed for want of Barnard's appearance. — Legislative Records of the Council, x., 438.

unappropriated Lands, but if it appear to be within the Township of Mendon, that then the Petitioners have Liberty to lay out the same Quantity of Land in some other Place, Unless the Town of Mendon will confirm to the Petitioners the said Land; That then Mendon have an Equivalent therefore; And that the Town of Mendon be desired to confirm at least the Fifty Acres, sold by M^r Samuel Comestock & under actual Improvem^t Provided it be within the Town Bounds; The above said Grant or Confirmation to be on Condition that the Town of Providence shall confirm to M^r Billings Seven hundred Acres of Land bought by him of the Indian Proprietor by Allowance of the Government & laid out within said Town; And that before this Court act further on this Petition, the Lines of the Town of Mendon be run by a skilful Survey^r & a Return made to this Court for their further Confirmation. [*Passed December 2.*]

CHAPTER 107.

RESOLVE ALLOWING £5 TO JOHN VALENTINE ESQ^R.

Legislative
Records of the
Council, x.,
439.

House Jour-
nal, p. 56.

A MEMORIAL of John Valentine Esq^r Praying an Allowance from this Court for his Service as Attorney General, & more especially for his Journey to Plymouth, which he undertook purely for the Service of the Government.

Read &

Resolved that the sum of Five Pounds be allowed & paid out of the publick Treasury to John Valentine Esq^r the Memorialist for the Service of the Year past. [*Passed December 3.*]

CHAPTER 108.

VOTE FOR PROSECUTING TRESPASSES ON THE PROVINCE LAND.

Legislative
Records of the
Council, x.,
440.

House Jour-
nal, p. 46.

IN THE HOUSE OF REPRESENT^{VE}S This House being credibly informed that several Persons have lately trespass'd in Cutting of Timber, Bleeding of Trees for Turpentine & making of Tar on the Lands belonging to this Province;

Ordered that Cpt. John Shipley, M^r Benjamin Whittamore, M^r William Pyncheon, Cpt. Thomas Baker, M^r John Dickenson, Cpt. Joseph Hill & M^r John Leighton be desired to get Information & Evidence of the Persons that have so trespassed, & give it to the Attorney General; who who¹ is directed to prosecute such Offenders in the Law; And that it be an Instruction to the Attorney General to prosecute such Persons as Offenders, who do not derive a Title from a Grant of this Court, or a Grant of the General Court of the late Colony of the Massachusetts Bay.

In Council; Read & Concur'd. [*Passed December 3.*]

¹ *Sic.*

CHAPTER 109.

VOTE ON BROOKFIELD PETITION, CONFIRMING A SURVEY AND PLAT OF LAND, AND ESTABLISHING THE TOWN.

A PETITION of Thomas Barns & others Select men of the Town of Brookfield, in behalf of the said Town, Shewing that by an Order of the General Court, held in May 1701, the Committees of the said Town were directed to survey & make a Plat of said Township, Containing by Grant the Contents of eight miles square, & lay before the Court such Plat for Confirmation of the Bounds of such Township; That the same has been done, but the Plat being mislaid; & no Act of the Court passed thereon, & the said Town having been at a considerable Charge thereon; Therefore Praying that the said Survey & Plat now given in may be Accepted & Confirmed & that the Inhabitants may have the same Powers & Privileges that other Towns are vested with.

Legislative
Records of the
Council, x.,
440.

Legislative
Records of the
Council, vii.,
200. House
Journal, p. 58.
Province
Laws, vii., 288,
chap. 8.

Read &

Resolved that the Prayer of this Petition be granted, & the Bounds of the Township of Brookfield be granted, confirmed & established accordingly & agreeably to a Plat thereof herewith exhibited taken by Timothy Dwight Surveyor, & that the Inhabitants, that are now, or hereafter shall be, are invested with all Powers, Privileges & Authorities that other Towns are; & that the Choice of Town Officers made in the said Town in March last is hereby approved & confirmed.
[*Passed December 3.*]

CHAPTER 110.

RESOLVE ALLOWING £20 TO M^r THO. CRAIGHEAD.

A PETITION of M^r Thomas Craighead Minister of the Gospel at Free-town, Shewing that for four years & an half he has laboured in that Work in the said Town, in which he has struggled with many Difficulties, that he has expended his own Estate, & has been treated by many in the said Place & in the Neighbourhood thereof with great Rudeness & Insolence, that for the three last years such Constables have been chosen as would neither pay their own part, nor gather the rest of his Salary, so that he has received little or nothing out of the said Town for his Support; And Praying that John Barney of Taunton, the present Under Sheriff for the County of Bristol, may be empowered to collect the Arrears due to the Petitioner from said Town, & that some measures may be taken to relieve him with respect to the Incumbrances on his Farm.

Legislative
Records of the
Council, x.,
442.

House Jour-
nal, p. 2.

Read &

Resolved that the sum of Twenty Pounds be allowed & paid out of the publick Treasury to the Petitioner M^r Thomas Craighead, for his present Relief; & that the Petitioner be recommended to the Hon^{ble} the Committee appointed to dispose of the Money lately collected in the Province for the Propagation of the Gospel; & that a further Consideration of the Matter of Complaint be had at the Session of this Court in May next. [*Passed December 4.*]

CHAPTER 111.

RESOLVE ALLOWING £6 TO JOS. MARION.

Legislative
Records of the
Council, x.,
443.

House Jour-
nal, p. 3.

AN ACCOMPT of Joseph Marion of Writing done for this Court at this Session & the Last, Amounting to the sum of £6.

[Read and]

Resolved that the Sum of Six Pounds be allowed & paid out of the publick Treasury to Joseph Marion the Accomptant to discharge this Accompt. [*Passed December 5.*]

CHAPTER 112.

RESOLVE ALLOWING £7. 16. 6 TO SAM^L GERRISH.

Legislative
Records of the
Council, x.,
443.

House Jour-
nal, p. 3.

AN ACCOMPT of Samuel Gerrish of the Charge of Printing a Sermon of the Rev^d M^r Benjamin Colman by Order of the House of Represent^{ves} Amounting to the sum of £7. 16. 6.

[Read and]

Resolved that the sum of Seven Pounds sixteen shillings & six pence be allowed & paid out of the publick Treasury to M^r Samuel Gerrish the Accomptant to discharge his Acc^t. [*Passed December 5.*]

CHAPTER 113.

VOTE FOR TWO NEW TOWNS TO THE WESTWARD OF GROTON.

Legislative
Records of the
Council, x.,
444.

Legislative
Records of the
Council, x.,
439, 440, 442, 443.
House Jour-
nal, p. 57
(Nov.), p. 4
(Dec.).
Ante, p. 670,
chap. 50.

Voted that two new Towns, each containing a Quantity of Land not exceeding six Miles square, be laid out in as regular Forms, as the Land will allow ; to be settled in a defensible manner on the Westerly side of Groton West Line ; And that William Tailer Samuel Thaxter, Francis Fulham Esq^r Cpt. John Shipley, & M^r Benjamin Whittamore be a Committee, fully impowered to allot & grant out the Land contained in each of the said Towns (a Lot not to exceed Two hundred & fifty Acres) to such Persons & only such as will effectually settle the same within the space of three years, next ensuing the laying out & granting such Lots by the said Committee ; Who are instructed & directed to admit eighty Families or Persons in each Town at least ; who shall pay to the said Committee, for the Use of the Province, the sum of Five Pounds, for each Allotment, which shall be granted & allotted as afore said ; And that each Person to whom such Lot or Lots shall be granted or laid out, shall be obliged to build a good Dwelling house thereon, & inhabit it ; & also to break up & fence in three Acres of Land at the least within the Term of three years ; And that there be laid out & reserved for the first settled Minister a good Convenient Lot ; also a Lot for the School, & a Ministerial Lot, & a Lot for Harvard College, of Two hundred & fifty Acres each ; And that the Settlers be obliged to build a good convenient House for the Worship of God in each of the said Towns within the Term of four Years ; & to pay the Charge of necessary Surveys and the Committee for their Service in & about the Premises ; And that the Committee give publick Notice of the Time & Place when & where they will meet to grant Allotments. [*Passed December 7.*]

CHAPTER 114.

RESOLVE ALLOWING £11. 10 TO SAM^L KEEP.

A PETITION of Samuel Keep of Springfield, Shewing that in the Year 1713, his House was by accident catch'd on fire, & in a short time burnt down to the ground, so that he saved little or nothing from the flames; & amongst other things lost the sum of Eleven Pounds ten shillings in Bills of Credit on this Province; And Praying that he may be allowed the like sum out of the publick Treasury.

Read &

Resolved that the Prayer of the Petition be granted & that the sum of Eleven Pounds & ten shillings be be¹ allowed & paid out of the publick Treasury to the said Samuel Keep for the like sum of the Bills of this Province, he brings Evidence were burned. [*Passed December 7.*]

Legislative
Records of the
Council, x.,
445.

House Jour-
nal, p. 4.

CHAPTER 115.

VOTE RESPECTING THE LINE ON RHODE ISLAND COLONY.

THE VOTE pass'd Novem^r 18. 1719, for Reviewing the Line between this Province & the Colony, of Rhode Island was read in Council, & Thereupon

It was further

Ordered that the Committee attend the Service above mentioned on the twenty ninth of this Instant Decem^r In the House of Represent^{ves} Read & Concur'd. [*Passed December 8.*]

Legislative
Records of the
Council, x.,
446.

House Jour-
nal, p. 5.
Ante, p. 680,
chap. 78; p. 681,
chap. 80.

CHAPTER 116.

RESOLVE ALLOWING £12. 11. 3 TO JAMES HALKERSTONE.

AN ACCOMPT of James Halkerstone Surgeon of Medicines & Applications to Serg^t Daniel Tucker from Septem^r 20. 1718, to June 3. 1719, Amounting to the sum of £12. 11. 3.

Read &

Resolved that the sum of Twelve Pounds eleven shillings & three pence be allowed & paid out of the publick Treasury to James Halkerstone the Accomptant in full discharge of this Accompt. [*Passed December 8.*]

Legislative
Records of the
Council, x.,
446.

House Jour-
nal, p. 5.

CHAPTER 117.

ORDER APPOINTING A COMITTEE FOR EXAMINING DIVERS ACCT^S OF THE £100,000 LOAN.

IN THE HOUSE OF REPRESENT^{ves}; The Commissioners of some Counties for letting out the Hundred thousand Pounds in Bills of Credit on this Province, having returned their Accompts to this Court not so clearly & intelligibly framed, as that this Court can now proceed to pass upon them;

Legislative
Records of the
Council, x.,
447.

House Jour-
nal, pp. 5, 6.

¹ *Sic.*

Ordered that M^r William Clark, M^r Treasurer & M^r John White Clerk of this House, be a Committee, to whom the said Accompts are comitted, to sit in the Recess of the Court, to inspect & consider the same, & to digest them into a proper Method, prepare them for & lay them before this Court with their Report thereon, at their next Session; & that the said Comitteee send to such of the said Comissioners for Explanation of their Accompts where Occasion shall be; Who are hereby directed to furnish them therewith without Delay.

In Council; Read & Concur'd. [*Passed December 9.*]

CHAPTER 118.

RESOLVE ALLOWING £600 TO THE GOVERN^R.

Legislative
Records of the
Council, x.,
447.

House Jour-
nal, p. 3.

Resolved that the sum of Six hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esq^r Captain General & Governor in Chief of this his Majestys Province, for his Support in managing the Affairs of the Governm^t. [*Passed December 9.*]

CHAPTER 119.

RESOLVE ALLOWING £300 TO M^R AGENT DUMMER.

Legislative
Records of the
Council, x.,
447.

House Jour-
nal, p. 3.

Resolved that the Treasurer be directed to purchase good Bills of Exchange for Three hundred Pounds Sterling to be paid to M^r Jeremiah Dummer in London Agent for this Province, further to enable him to negotiate the Affairs thereof. [*Passed December 9.*]

CHAPTER 120.

RESOLVE ADDING £50 ALLOW^{CE} TO M^R PRESID^T LEVERET.

Legislative
Records of the
Council, x.,
447.

House Jour-
nal, p. 3.

Resolved that the sum of Fifty Pounds be added to the Allowance of the Rev^d M^r John Leveret, President of Harvard College for the year coming, ending in January next. [*Passed December 9.*]

CHAPTER 121.

RESOLVE ALLOWING £30 TO M^R JOHN WHITE.

Legislative
Records of the
Council, x.,
448.

House Jour-
nal, p. 4.

In the House of Represent^{ves};
Resolved that the sum of Thirty Pounds be allowed & paid out of the publick Treasury to M^r John White, Clerk of this House for his Service the Year Currant

In Council; Read & Concur'd. [*Passed December 9.*]

CHAPTER 122.

RESOLVE ALLOWING £10 TO MR. JOHN WHITE FOR TRANSCRIBING
VOTES FOR Y^E PRESS.

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r John White Clerk of the House for his service in preparing & transcribing the Votes of the House for this present Year. [*Passed December 9.*]

Legislative
Records of the
Council, x.,
448.House Jour-
nal, p. 4.

CHAPTER 123.

RESOLVE ALLOWING £27. 10 TO JOHN FLAGG.

Resolved that the sum of Twenty seven Pounds ten shillings be allowed & paid out of the publick Treasury to John Flagg Door Keeper to his Excellency the Governor & this Court, for his Service half a Year; Ending the 25th Day of this Month. [*Passed December 9.*]

Legislative
Records of the
Council, x.,
448.House Jour-
nal, p. 4.

CHAPTER 124.

RESOLVE ALLOWING £10 TO EDW^d WINSLOW.

AN ACCOMPT of Edward Winslow Esq^r Sheriff of the County of Suffolk of sending sundry Expresses on publick Occasions, Amounting to the sum of £11. 5.

[Read and]

Resolved that the sum of Ten Pounds be allowed & paid out of the publick Treasury to M^r Sheriff Winslow the Accomptant to discharge the said Accompt. [*Passed December 9.*]

Legislative
Records of the
Council, x.,
448.House Jour-
nal, p. 6.

CHAPTER 125.

RESOLVE FOR ADDITION^L ALLOWANCE OF £100 TO THE JUDGES.

UPON A MOTION made & Consideration had of the growing Charge & Expence that attends the Hon^{ble} Judges of the Superior Court of Judicature in Discharge of their Office;

Resolved that the sum of One hundred Pounds be further allowed & paid out of the publick Treasury to the said Hon^{ble} Judges. [*Passed December 9.*]

Legislative
Records of the
Council, x.,
448.House Jour-
nal, p. 9.

CHAPTER 126.

RESOLVE ALLOWING £150 TO JOSIAH WILLARD.

A PETITION & MEMORIAL of Josiah Willard Esq^r Secretary of this Province, Shewing that whereas the General Assembly at their Session held Octob^r 29. 1718, were pleased to make him some Allowance

Legislative
Records of the
Council, x.,
448.

House Journal, p. 5.
Ante, p. 638,
 chap. 128.

in Answer to his Petition, Praying a Consideration for the Dearness of all Necessaries of Life, the same is very disproportionate to his Loss by the Difference of Money, as it pass'd two years since, & as it passes now, & as the Value was at the time of settling the Secretaries Fees by Law; & that altho the Prices of some Kinds of Provisions is abated for a Month or two past, All Necessaries have been for the rest of the Year dearer than they were the last; That the Fees & Perquisites have fallen above one sixth Part below the last; altho the Business has been much increased by reason of many Services done for the Publick by Order of the Govern^t particularly a Copy of the Treasurers Accompts by Order of the Lords Commiss^{rs} of Trade & Plantations, Copies of all the Papers & Records relating to the Affairs of John Usher Esq^r & Copies of the Papers that refer to the Proceedings at Canso, That he hath with great Labour & Pains made a Table of the Records of the General Assembly of the late Colony of the Massachusetts Bay, whereby Persons concerned are saved a considerable Charge in searching the said Records; And that he hath fore-gone above one Third part of the Fees allowed by Law for Petitions to the General Assembly, the said Petitions being either of the Hon^{ble} Members, or of the Towns they represent, or of indigent People, asking Relief from the Court, or else of such as put in for their just Debts from the Publick; And the time being at hand for an Allowance for his Services, which he is not permitted to bring to Accompt; (which by far exceeds the rest of the Business of his Office,) Therefore Praying that an Allowance may be made him in proportion to his Labour & Toil, the important Trust of his Office, & the Honour & Bounty as well as Justice of this Court.

Read &

Resolved that the sum of One hundred Pounds be allowed & paid out of the publick Treasury to Josiah Willard Esq^r Secretary of this his Majestys Province, for this year; And by reason of some extraordinary Services done by Direction of the Govern^t which required many Copies & Writings to be sent home, & his making an Index for several Books of the Records of this Court, That a further Addition of Fifty Pounds be allowed him. [*Passed December 9.*]

CHAPTER 127.

RESOLVE ALLOWING £5. 11 TO SAM^L TYLEY & BENJ^A ROLFE.

Legislative
 Records of the
 Council, x.,
 449.

House Journal,
 p. 8.

AN ACCOMPT of Samuel Tyley Jun^r & Benjamin Rolfe of Writing done for this Court the last Year & this; Amounting to the sum of £5. 11.

[Read and]

Resolved that the sum of Five Pounds & eleven shillings be allowed & paid out of the publick Treasury to M^r Samuel Tyley, & M^r Benjamin Rolfe the Accomptants to discharge of this Acc^t. [*Passed December 9.*]

CHAPTER 128.

RESOLVE ALLOWING £6. 19. 2 TO JOS. RUSSEL.

AN ACCOMPT presented by Joseph Russel of the Charge of conducting & subsisting twenty six French men (taken up & brought in from Sea their Vessel being foundered) from Rowley to Boston, Amounting to the sum of £6. 19. 2.

[Read and]

Resolved that the sum of Six Pounds nineteen shillings & two pence be allowed & paid out of the publick Treasury to Joseph Russel the Accomptant to discharge the said Accompt. [*Passed December 10.*]

Legislative
Records of the
Council, x.,
450.

House Jour-
nal, p. 9.

CHAPTER 129.

VOTE ABOUT COMMISS^{RS} GOING EASTWARD.

IN THE HOUSE OF REPRESENT^{VES} This House being informed that a great Number of Kennebeck Indians are now at or about Casco Bay, & may the more easily be brought together to be discoursed with;

Voted that the Commissioners appointed by this Court to go Eastward &c, be desired to proceed on that Affair as expeditiously as may be.

In Council; Read and Concur'd. [*Passed December 10.*]

Legislative
Records of the
Council, x.,
450.

Legislative
Records of the
Council, x.,
431, 438, 448.
House Jour-
nal, p. 9.
Ante, p. 685,
chap. 91.

CHAPTER 130.

VOTE ABOUT INSTRUCTIONS TO THE COMMITTEE ON THE NEW HAMPSHIRE LINE.

Voted that it be left with His Excellency the Governor & Council to give Instructions to the Committee appointed by this Court to run the divisional Line between this Govern^{mt} & the Govern^{mt} of New Hampshire fully empowering them to adjust and settle the said Line. [*Passed December 10.*]

Legislative
Records of the
Council, x.,
451.

Legislative
Records of the
Council, x.,
450. House
Journal, p. 10.
Ante, p. 680,
chap. 77.

CHAPTER 131.

ORDER ON MARY ADAMS'S PETITION IN REGARD TO A CONVEYANCE AND MORTGAGE.

A PETITION of Mary Adams Relict Widow & Executrix of the last Will & Testament of Cpt. Joseph Adams late of Chelmsford Dec^d Shewing that Joseph Barret of the said Town did on the 5th of April 1717, sell & convey unto the said Joseph Adams in his Life time, & unto his Heirs and Assigns for ever, a certain Parcel of Upland situate in Chelmsford afore said containing forty Acres; & altho the Consideration mentioned in the said Deed be Two hundred Pounds, yet the Petitioner is well assured that he never paid any more for the said Land than Sixty Pounds For which sum He mortgaged it to the Commissioners of the £100,000 Loan; that the said Joseph Barret is willing & desirous to pay & discharge his Mortgage; Provided he can have his Estate re-

Legislative
Records of the
Council, x.,
427, 451.

House Jour-
nal, p. 51
(Nov.).

conveyed & made sure to him; But the Bond or Obligation the said Adams gave as Security for the Re-Conveyance of the said Land to the said Barret being express'd in doubtfull Terms; & the Petitioners Son Samnel Adams being unwilling to relinquish his Claim to the said Land, the Petition^r is desirous that all Disputes may be prevented, & that Justice may be done to the said Barret; And therefore Praying that this Hon^{ble} Court would ratify & confirm the said Estate, or empower the Petitioner to reconvey the same to the said Joseph Barret his Heirs & Assigns for ever, he paying or discharging the Mortgage afore said, & delivering up the Bond of the said Joseph Adams, or that such Order may be given in the Premisses for the said Barrets Relief, as to this Hon^{ble} Court may seem most meet & proper.

Joseph Barret being sworn before the Board, That he received no more than Sixty Pounds directly or indirectly of Cpt. Joseph Adams in consideration of his Conveyance of the Land mentioned in the Petition, The following Order pass'd; viz,

Ordered that the Petitioner be & hereby is enabled to re-convey the Tract¹ of Land mentioned in the Petition to Joseph Adams Jun^r He paying or discharging the Mortgage of the said Land to the Province. [*Passed December 10.*

¹ *Sic.*

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